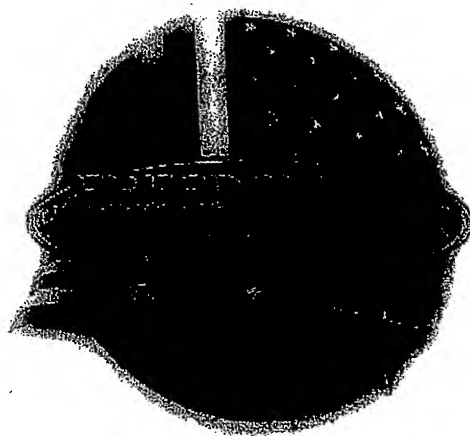


FREEDOM OF INFORMATION  
AND  
PRIVACY ACTS

Subject: Julius Rosenberg

File Number: 65-15348

Section: Sub 8 (A)



FEDERAL BUREAU OF INVESTIGATION

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~~FILE DESCRIPTION~~

NEW YORK FILE

SUBJECT Julius Rosenberg

FILE NO. 65-15348  
Sub "A"

VOLUME NO. 8

SERIALS 628  
thru  
692

VOLUME Sec. 8 sub A

NEW YORK FILES

REVIEWED BY

Jen / Jay

File No: 65-15348

Re:

Rosenberg

Date: 6/2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-628	11/18/52	NEWS CLIPPING FROM N.Y. Herald Tribune	2	2	
A-628A	11/19/52	NEWS CLIPPING FROM N.Y. TIME	1	1	
A-629	11/24/52	NEWS CLIPPING FROM N.Y. BROOKLYN EAGLE	1	1	
A-630	11/21/52	NEWS CLIPPING FROM N.Y. POST	1	1	
A-631	11/22/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	1	1	
A-632	11/22/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-633	11/22/52	NEWS CLIPPING FROM N.Y. NEWS	1	1	
A-633A	11/22/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	2	2	
A-633B	11/20/53	FD-5	1	1	
A-633C	11/21/53	FD-5	1	1	
A-633D	11/21/53	FD-5	1	1	
A-634	11/23/52	NEWS CLIPPING FROM N.Y. POST	1	1	

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VOLUME

SEC. 8 sub A

NEW YORK FILES

REVIEWED BY

Hon. Lick

File No: 65-15348

Re:

Rosenberg

Date: 2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-634A	11/25/52	NEWS CLIPPING FROM N.Y. POST	1	1	
A-635	11/25/52	NEWS CLIPPING FROM N.Y. BROOKLYN EAGLE	1	1	
628B	12/10/53	FD-5	1	1	
628D	12/10/53	FD-5	1	1	
628E	1/20/53	"	1	1	
628F	1/20/53	"	1	1	
628G	1/20/53	"	1	1	
628H	1/20/53	"	1	1	
628I	1/20/53	"	1	1	
628J	1/20/53	"	1	1	
628K	1/20/53	"	1	1	
635A	1/21/53	FD-5	1	1	
635B	1/21/53	"	1	1	
635D	1/21/53	"	1	1	

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by whom

File No: 65-15348Re: RosenbergDate: 2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		#	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released		
635E	1/21/53	FD-5	1	1		
635G, H, I	1/21/53	" "	1	1		
635 I	1/20/53	" "	1	1		
635 J	1/20/53	" "	1	1		
635 K	1/20/53	" "	1	1		
636	1/29/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1		
636 A	1/29/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1		
636 M	1/21/53	FD-5	1	1		
636	1/21/53	FD-5	1	1		
A-637	1/29/52	NEWS CLIPPING FROM N.Y. TIMES	1	1		
A-637	1/29/52	" "	1	1		
A-638	1/25/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1		

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Approved

VOLUME Sec 8 sub "A"

NEW YORK FILES

REVIEWED BY

[Signature]

File No: 65-53481 Re: Rosenberg

Date: 2/78 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
638A	1/20/53	FD-5	1	1	
A-638B	1/30/52	NEWS CLIPPING FROM N.Y. POST	1	1	
A-638C	1/30/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	5	5	
638D	1/20/53	FD-5	1	1	
638E		" "	1	1	
638F, G	1/21/53	" "	1	1	
A-638H	12/1/52	NEWS CLIPPING FROM N.Y. POST	5	5	
A-638I	12/1/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	4	4	
A-638J	12/2/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1	
A-638K	12/2/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-639	12/2/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-639A	1/20/53	FD-5	1	1	

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File No: 65-15348

Re: Rosenberg

Date: 12/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-6401	12/2/52	NEWS CLIPPING FROM N.Y. TIMES	1	1	
A-640A	12/2/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	3	3	
A-640B	1/20/53	FD-5	1	1	
A-641	12/2/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1	
A-642	12/2/52	NEWS CLIPPINGS FROM N.Y. POST	1	1	
A-643	12/3/52	NEWS CLIPPINGS FROM N.Y. HERALD TRIBUNE	1	1	
6428A/C	1/1/53	FD-5	1	1	
A-644	12/3/52	NEWS CLIPPING FROM N.Y. POST	3	3	
A-644A	12/3/52	NEWS CLIPPING FROM N.Y. POST	1	1	
A-644B	12/3/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	3	3	
A-644C	12/3/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-644D/E	1/21/53	FD-5	1	1	

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File No: 65-15348

Re: Rosenberg

Date: 2/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		#	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released		
645	1/21/53	FD-5	1	1		
A-645-A	1/24/54	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	4	4		
A-645-B	1/25/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	3	3		
A-645-C	12/16/52	" " " "	2	2		
645-D-E	1/21/53	FD-5	1	1		
645-F	1/20/53	" " " "	1	1		
645-G	12/10/52	NEWS CLIPPING FROM LONG ISLAND-STAR	2	2		
645-H	1/21/53	FD-5	1	1		
647	1/21/53	FD-5	1	1		
647-A	12/8/52	NEWS CLIPPING FROM N.Y. TIMES	1	1		
647-B	12/8/52	NEWS CLIPPING FROM N.Y. POST	2	2		
647-C	12/8/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1		

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VOLUME

SEC-8 sub. A

NEW YORK FILES

REVIEWED BY

File No: 65-15348

Re:

Rosenberg

Date: 2/28

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
648	1/21/53	FD-5	1	1	
649	1/21/53	FD-5	1	1	
A-650	12/10/52	NEWS CLIPPING FROM N.Y. NEWS	1	1	
651	1/21/53	FD-5	1	1	
652	1/21/53	FD-5	1	1	
653	12/10/52	NEWS CLIPPING FROM N.Y. POST	2	2	
A-654	12/10/52	NEWS CLIPPING FROM N.Y. BROOKLYN EAGLE	1	1	
A-655	12/10/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
655A	12/10/52	NEWS CLIPPING FROM N.Y. WORLD TELEGRAM & SUN	1	1	
655B	12/10/52	NEWS CLIPPING FROM N.Y. Brooklyn Eagle	1	1	
655C	12/10/52	NEWS CLIPPING FROM N.Y. POST	1	1	
655D	12/10/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	1	1	

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File No. 65-15348

Re: Rosenberg

Date: 2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		#	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released		
655F	12/10/52	NEWS CLIPPING FROM N.Y. POST	1	1		
656	1/2/53	FD-5	1	1		
657	1/2/53	FD-5	1	1		
A-658	12/11/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1		
A-659	12/11/52	NEWS CLIPPING FROM N.Y. NEWS	1	1		
A-660	12/11/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1		
A-660	12/11/52	"	1	1		
A-660A	12/11/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1		
A-660B	12/11/52	NEWS CLIPPING FROM N.Y. NEWS	1	1		
A-660C	1/20/53	FD-5	1	1		
A-660D	12/11/52	NEWS CLIPPING FROM LONG BEACH LIFE	1	1		
660F	1/20/53	FD-5	1	1		

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File No 65-15348

Re: Rosenberg

Date 1/20/53

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)	(month/year)
			Actual	Released		
6606	1/20/53	FD-5	1	1		1
660H	1/20/53	FD-5	1	1		
660H	1/20/53	FD-5	1	1		
A-661	12/12/52	NEWS CLIPPING FROM N.Y. POST	1	1		
A-662	12/12/52	NEWS CLIPPING FROM N.Y. TIMES	1	1		
A-663	12/12/52	NEWS CLIPPING FROM N.Y. BROOKLYN EAGLE	1	1		
663A	1/21/53	FD-5	1	1		
663B	1/21/53	"	1	1		
663D	1/21/53	"	1	1		
A-664	12/13/52	NEWS CLIPPING FROM N.Y. NEWS	1	1		
A-665	12/15/52	NEWS CLIPPING FROM N.Y. POST	1	1		
A-666	12/12/52	NEWS CLIPPING FROM N.Y. POST	1	1		

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File No: 65-15348Re: RosenbergDate: 2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-667	12/12/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1	
A-668	12/12/52	NEWS CLIPPING FROM N.Y. TIMES	1	1	
A-669	12/13/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-670	12/14/52	NEWS CLIPPING FROM N.Y. POST	1	1	
A-670A	1/21/53	FD-5	1	1	
670A	1/21/53	"	1	1	
670B	1/21/53	"	1	1	
670C	1/20/53	"	1	1	
670H	1/21/53	"	1	1	
670J	1/21/53	"	1	1	
670K	1/21/53	"	1	1	
670L	1/21/53	"	1	1	

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SP/SCJ

VOLUME sec. 8 sub A

NEW YORK FILES

REVIEWED BY tgRe: RosenbergFile No: 65-15348Date: 12/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		#	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released		
670M, N.D.	1/21/53	FD-S	1	1		
670P	12/23/52	NEWS CLIPPING FROM THE NEW LEADER	2	2		
A-671	12/23/52	NEWS CLIPPING FROM N.Y. TIME	1	1		
A-672	12/23/52	NEWS CLIPPING FROM N.Y. NEWS	1	1		
A-673	12/25/52	NEWS CLIPPING FROM N.Y. TIMES	1	1		
A-674	12/23/52	NEWS CLIPPING FROM N.Y. POST	1	1		
A-675	12/23/52	NEWS CLIPPING FROM N.Y. NEWS	1	1		
A-676	12/23/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1		
A-677	12/23/52	NEWS CLIPPING FROM N.Y. JOURNAL AMERICAN	1	1		
A-677A	1/21/53	FD-S	1	1		
677B	1/21/53	FD-S	1	1		
677C	1/21/53	FD-S	1	1		

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1/2/53

File No: 65-15348Re: RosenbergDate: 2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-677D	12/23/52	NEWS CLIPPING FROM Staten Island Advance	1	1	
A-678	12/25/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1	
A-678A	12/25/52	NEWS CLIPPING FROM Levittown Eagle	1	1	
A-679	12/25/52	NEWS CLIPPING FROM N.Y. MIRROR	1	1	
A-679A,B	1/21/53	FD-5	1	1	
A-679C	1/20/53	FD-5	1	1	
A-679D	1/20/53	FD-5	1	1	
A-679E	12/26/52	NEWS CLIPPING FROM N.Y. World Telegram & Sun	1	1	
A-679F	1/21/53	FD-5	1	1	
A-680	12/27/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	1	1	
A-680A	12/28/52	NEWS CLIPPING FROM N.Y. NEWS	1	1	
A-680B	12/28/52	NEWS CLIPPING FROM N.Y. POST	2	2	

File No: 65-15348Re: RosenbergDate: 2/98  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
A-680C	12/29/52	NEWS CLIPPING FROM N.Y. HERALD TRIBUNE	2	2	
A-680D	1/21/53	FD-5	1	1	
A-681	NO DATE	CLIPPING FROM NEWSDAY	1	1	
A-682	12/30/52	CLIPPING FROM N.Y. WORLD TELEGRAM & SUN	1	1	
A-683	12/30/52	CLIPPING FROM N.Y. Brooklyn Eagle	1	1	
A-684	12/30/52	CLIPPING FROM N.Y. POST	1	1	
684A,B,C	1/21/53	FD-5	1	1	
A-685	12/31/52	CLIPPING FROM N.Y. NEWS	2	2	
A-686	12/31/52	CLIPPING FROM N.Y. TIMES	1	1	
A-687	12/31/52	CLIPPING FROM N.Y. MIRROR	1	1	
A-688	12/31/52	CLIPPING FROM N.Y. HERALD TRIBUNE	2	2	
A-688A	1/20/53	FD-5	1	1	



File No: 65-

File No: 68

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**File No: 92**

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628B

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688

688, D

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069-4

069-4

067-F

067-00

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A-692

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A-692

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

FEDERAL BUREAU  
of  
INVESTIGATION

See also Nos



ASAC 1  
ASAC 2  
SEC. 1  
SEC. 2  
SEC. 3  
SEC. 4  
SEC. 5  
SEC. 6  
SEC. 7  
SEC. 8  
SEC. 9  
SEC. 10  
SEC. 11  
SEC. 12  
NIGHT SUPERVISOR  
PROPERTY CLERK  
TRAINING UNIT

# Rosenbergs Lose in Last Court; Facing Death as Atomic Spies

Supreme Court Rules 8-1; Attorney for Couple to  
Fight On; Can Ask President for Clemency

By David McConnell

WASHINGTON, Nov. 17.—The husband-wife team of Julius and Ethel Rosenberg lost their last court appeal today to avoid death sentences imposed for sending atomic secrets to Russia. The Supreme

Court, by an eight-to-one vote, refused for the second time to review their cases. It thus cleared the way for the government to ask that an execution date be fixed for the two, who have been held in the Sing Sing death house for nineteen months. Commutation by the President can save them from execution.

The New York couple were involved in the Dr. Klaus Fuchs-Harry Gold spy ring which stole atomic secrets for Communist Russia. Dr. Fuchs headed the ring in England while Gold, Philadelphia biochemist, was a key figure in this country.

In a similar decision today the Supreme Court also refused for the second time to review the conviction of Morton Sobell, New York electronics and radar expert, who was convicted with the Rosenbergs and sentenced to thirty years in prison. Sobell, a City College of New York classmate of Rosenberg and a former engineer with the Navy Ordnance Bureau, had been recruited for the espionage work by the Rosenbergs.

Associate Justice Hugo L. Black was the lone dissenter to today's decisions involving both Sobell and the Rosenbergs. He maintained the stand he took Oct. 12, when the court first refused to review

(Continued on page 14, column 3)

62-15348-A128

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
NOV 13 1952	
FBI - NEW YORK	
Harrington	

CLIPPING FROM THE  
N.Y. HERALD TRIBUNE  
NOV 18 1952  
DATED  
FORWARDED BY N. Y. DIVISION

# Rosenbergs

(Continued from page one)

the cases, that the three should be granted a hearing.

In making the final refusal of a hearing, Associate Justice Felix Frankfurter issued a statement in which he said misconceptions concerning the meaning of the court's refusal to grant hearings "persist despite repeated attempts at explanation."

"The action means," he said, "and all that it means is that there were not four members of the court to whom the grounds on which the decision of the Court of Appeals was challenged seemed sufficiently important when judged by the standards governing the issue of the discretionary writ of certiorari." Granting of a writ would mean that the court would review the case.

In their second appeal for a hearing, the Rosenbergs called their death sentences "a barbarity" and charged that their trial before United States District Judge Irving R. Kaufman in New York did not provide the "requisite Constitutional safeguards." They said their sentences proved that "judicial balance gave way to unjudicial surrender to the political clamor that invaded the case."

The Supreme Court also refused to permit filing of a brief as a "friend of the court" by the "National Committee to Secure Justice in the Rosenberg Case." The brief challenged the sentences and said that they may have been "unduly influenced by political prejudice and hysteria." The committee's address was listed as 1050 Sixth Ave., New York.

## Attorney's Recourses

Emanuel H. Bloch, counsel for the Rosenbergs, said yesterday that there were still avenues open to them. These include, he said, an application before Judge Kaufman for a reduction of sentence, as well as a plea for Presidential clemency.

In addition, the lawyer could ask for a new trial on the grounds of alleged new undisclosed evidence, or seek a writ of habeas corpus on the ground of "illegal detention." In view of the Supreme Court's refusal even to review the case, it was considered highly unlikely that the Rosenbergs would get anywhere on these two points.

The United States Attorney's office said the Supreme Court's mandate will probably arrive here by the end of this week or early next week and that there will be no time wasted in asking for a new date for sentence, to be fixed by Judge Kaufman. Since the Rosenbergs were tried in New York and if Judge Kaufman reimposes the death sentence, it will be carried out in the electric chair at Sing Sing.

ASAC 2  
 SEC. 1  
 SEC. 2  
 SEC. 3  
 SEC. 4  
 SEC. 5  
 SEC. 6  
 SEC. 7  
 SEC. 8  
 SEC. 9  
 SEC. 11  
 SEC. 12  
 NIGHT SUPERVISOR  
 PROPERTY CLERK  
 TRAINING UNIT

## JERUSALEM SENDS A ROSENBERG PLEA

20 Religious Leaders Urge  
 Truman Clemency for Pair  
 Condemned as Spies

Special to THE NEW YORK TIMES.

JERUSALEM, Nov. 18.—Twenty prominent rabbis and religious leaders in Jerusalem appealed to President Truman today to exercise clemency on behalf of Julius and Ethel Rosenberg. The New York couple is under sentence to die in Sing Sing Prison for passing atomic secrets to the Soviet Union.

The petition, sponsored by Jerusalem relatives of the condemned spies, said:

"We can hardly imagine that Jews anywhere in the world and especially in a glorious country like the United States should act against the interests of the state. At least we are not aware of such an instance in the long history of the Jewish people.

"Similarly, we are not aware of any precedent where a person has been condemned to death in a democratic country for offenses alleged in this case in time of peace."

The rabbis appealed to the President's sense of humanity and noted that the prisoners could do no further harm if they remained in custody.

The signatories included officials of the Chief Rabbinate and well-known Talmudic sages. Chief Rabbi Isaac Halevy Herzog and Ben-Zion Hai Uziel were not among the signatories.

CLIPPING FROM THE  
 N.Y. TIME

N. Y. ....

DATE NOV. 19 1952  
 FORWARDED BY N. Y. DIVISION

15-15348-A62

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
NOV 19 1952	
FBI - NEW YORK	

J. A. Harrington

TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

FILE 65-15348-A 1/21/53

Class	Number	Last Serial	Date
Serials	628B,C		
Serials	transferred to 65-15348-B-61,62		Date
Serials			Date
Serials			Date

Employee: \_\_\_\_\_

RECHARGE

Date \_\_\_\_\_

To: \_\_\_\_\_ From: \_\_\_\_\_

TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

1/20/53

FILE 65-15348-A

Class

Number

Last Serial

Date

Serials

628 D

Date

Serials transferred to 65-15348-C-18

Date

Serials

Date

Employee:

RECHARGE

Date

To:

From:

TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

65-15348-A

1/20/53

FILE	Class	Number	Last Serial	Date
Serials	628E			Date
Serials	transferred to 65-15348-D-46			Date
Serials				Date
Employee:				
	RECHARGE			Date
To:			From:	

TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

FILE	65-15348-A		1/20/53
	Class	Number	Last Serial
		628F	
Serials	transferred to 65-15348-D-45		Date
Serials			Date
Serials			Date
Employee:			
	RECHARGE		
	Date		
To:	From:		

TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

FILE	65-15348-A		1/20/53
	Class	Number	Last Serial
Serials		6280	
			Date
Serials	transferred to 65-15348-D-44		
			Date
Serials			
			Date
Employee:			
	RECHARGE		
			Date
To:			From:



TRANSFER SHEET  
CHARGE-OUT SLIP

FD-5  
(7-10-52)

FILE <u>65-15348-A</u>			<u>1/20/53</u>
Class	Number	Last Serial	Date
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# ROSENBERGS' EXECUTION SET WK. OF JAN. 12

Husband, Wife  
Will Get Chair  
As Atom Spies

Federal Judge Irving I. Kaufman today set the week of Jan. 12 for the execution of convicted atom spies Julius and Ethel Rosenberg, now in the death house at Sing Sing.

By tradition, New York State carries out its executions on Thursday night so the actual death date would be Jan. 15, if there are no further postponements.

The State will handle the executions for the Federal Government which found the husband-wife team guilty of treason.

The husband and wife team was convicted in Federal Court March 29, 1951, on charges of passing atomic secrets to Russia.

They have been confined to Sing Sing since that date, while their case was appealed.

Last Monday the Supreme Court refused to reconsider the case and doomed the pair to the electric chair.

U. S. Attorney Myles Lane served notice on Emanuel H. Bloch, attorney for the Rosenbergs, that he would submit the new execution date papers to Judge Kaufman this morning.

Lane said later he had not been served with papers by defense which would stay the new execution date. However, it was learned that Bloch might file on Monday a petition asking for such action.

CLIPPING FROM THE

N.Y. BROOKLYN EAGLE

N. Y.

DATE: NOV 21 1952

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# Rosenberg Executions Set for Week of Jan. 12

Julius and Ethel Rosenberg, convicted atom spies, today were sentenced to die in the electric chair at Sing Sing during the week of Jan. 12.

The order setting the date for their execution was signed in chambers by Federal Judge Kaufman.

However, the Rosenbergs' attorney, Emanuel Bloch, announced immediately afterward that he would move Monday to invalidate their conviction, ask for a stay of execution and petition for a new trial.

A plea for re-hearing of their case was turned down earlier this week by the U. S. Supreme Court which had previously upheld their conviction. The Court, in rejecting the appeal, also denied a petition signed by 50,000 persons asking permission to file a brief arguing for a new trial.

Rosenberg, 32, an electrical en-

gineer, and his wife Ethel, 35, have been in the death house at Sing Sing since their conviction March 29, 1951, on charges of passing atomic secrets to Russia.

Judge Kaufman sentenced them to death at that time but their execution had been postponed by a series of appeals.

Despite Bloch's determination to make another attempt to save his clients, U. S. Marshal William Carroll said he would go to Washington Monday to make arrangements for the execution.

Since they were convicted of a federal offense and Sing Sing was a state prison, there is considerable red tape to be unraveled before the execution can be carried out.

## Fuchs in Spy Ring

The day of the week must be set and arrangements made for press coverage. Federal executions are customarily at day-break, while at Sing Sing, traditionally, they occur at 11 p.m. on the Thursday of the appointed week.

The Rosenbergs were convicted of ferreting out American war-time secrets for a Russian-bossed spy ring from Los Alamos, N. M.,

an American atomic installation. It was the same spy ring that included Klaus Fuchs, imprisoned British scientist.

Convicted with the Rosenbergs was Morton Sobell, 33, who was sentenced to 30 years in prison.

In their appeals, the Rosenbergs contended the death sentences were "cruel and unusual punishment." They maintained they had worked for Russia when that nation was allied with the U. S.

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'None of Our Business':

# Israel Refuses Spy Case Action

## Won't Interfere In Rosenberg Case

By HOWARD RUSHMORE

Abba Eben, Israel Ambassador, has told a pro-Communist committee seeking freedom for A-bomb spies Julius and Ethel Rosenberg that his government regards the whole case as "none of Israel's business."

The group calling itself the "Committee to Secure Justice in the Rosenberg Case" has sent a flood of letters to Eben and other officials of the Israel government asking for support of their campaign for the two spies, now in Sing-Sing's death house.

Eben, it was learned, has instructed his staff to reply to such demands with a statement that Israel does not intend to comment in any manner on the trial and sentence of the Soviet espionage agents.

### BARS INTERFERENCE.

The statement approved by Eben points out that Israel does not intend to interfere in the decisions of American courts or in a matter which is no concern of his government.

U. S. Marshal William Carroll is making preparations for the execution of the spies during the week of Jan. 12 following the setting of the date by Federal Judge Irving R. Kaufman.

Kaufman, who sentenced the Rosenbergs in April, 1951, to the chair for what he termed "a crime worse than murder" signed an application of U. S. Attorney Lane to set the time of execution.

### GET BAD NEWS.

The Rosenbergs have not been officially notified of Kaufman's action. But they got the news over radios in their death house cells. They originally were sentenced to die the week of May 21, 1951.

They will be the first Americans ever put to death in this country for espionage.

Emmanuel H. Bloch, attorney for the doomed spies, will move in Federal court Monday for an order invalidating the conviction and asking for a new trial "on various grounds which I am not at liberty to discuss at present."

In view of the Supreme Court's recent decision not to review the case—and the U. S. Circuit Court's unanimous opinion upholding the conviction—it is believed Bloch's legal efforts have little chance of success.

Recent efforts of the Rosenberg committee to turn the case into propaganda based on alleged "anti-Semitism" have been denounced by the Anti-Defamation League of B'nai B'rith, the Jewish War Veterans and other responsible Jewish organizations.

A number of these groups are

expected next week to counter the pro-Communist propaganda with statements denouncing the attempts to create a false religious issue out of the entire case.

In a sermon at Temple Israel, 210 W. 91st st., Rabbi William F. Rosenblum last night criticized rabbis, ministers and "other well-intentioned persons" who he said joined in sponsoring clemency petitions for the spies.

He urged that they instead appeal to the Rosenbergs to help the Government "frustrate the Communist menace."

Because President-elect Eisenhower won't be inaugurated until Jan. 20, President Truman will have to act on an expected plea for executive clemency.

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# Atom-Spies' Chair Date Set

The executions of convicted atomic spies Julius and Ethel Rosenberg were scheduled for the week of Jan. 12 in an order signed yesterday by Federal Judge Irving R. Kaufman.

U. S. Marshal William A. Carroll, in charge of the execution, said the exact day on which the death penalty will be carried out will be kept a secret. However, it is expected that additional legal moves by Emanuel H. Bloch, attorney for the Rosenbergs, will cause a postponement of the execution.

Bloch announced he will apply in Federal Court on Monday for an order invalidating the conviction and asking for a new trial "on various grounds which I am not at liberty to discuss at present." The Supreme Court recently denied a rehearing to the Rosenbergs, who were convicted on March 29, 1951, for transmitting atomic secrets to Russia. They are now in the Sing Sing death house.



ETHEL AND JULIUS ROSENBERG  
Their execution as atom spies set for week of Jan. 12.

CLIPPING FROM THE

N.Y. MIRROR

NOV 22 1952

RECEIVED BY R. E. DIVISION

61-1345-A 632

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# Rosenbergs, A-Spies, Ordered To Chair During Week of Jan. 12

By NORMA ABRAMS

The execution of atom spies Julius and Ethel Rosenberg was set yesterday for the week of Jan. 12 at Sing Sing. The couple are in the death house at the prison.

The execution order was signed in Federal Court by Judge Irving R. Kaufman. The Rosenbergs were convicted March 29, 1951, of giving atomic secrets to Russia.

Recently the United States Supreme Court denied a rehearing to the couple and rejected a petition signed by 50,000 asking permission to file a brief arguing for a new trial.

## Counsel Plans New Motion.

Emanuel H. Bloch, the Rosenbergs' counsel, said he will file a motion in Federal Court Monday



Ethel Rosenberg  
Will try court again.

the Rosenbergs "to find out whom they want to be present at the execution."

Press coverage will be limited to one representative from each of three wire services—Associated Press, United Press and International News Service, Carroll said.

He disclosed that he had received "countless" letters and phone calls from all over the country asking how to apply to attend the execution.

## Sobell Stays in City.

The Rosenbergs' convicted co-conspirator, Morton Sobell, 33, yesterday won a stay of transfer from Federal Judge Edward Weinfeld. He was to have been shipped to Alcatraz yesterday to begin serving a 30-year sentence.

Sobell, radar expert, has been in the Federal House of Detention, 427 West St., for 18 months while his attorney, Howard M. Meyer, filed futile appeals.

Meyer obtained the stay, which expires Tuesday midnight, over the objections of Assistant U. S. Attorney James Kilsheimer. Meyer said that he too would file a motion Monday seeking to set aside



Julius Rosenberg  
Court sets the time.

the conviction on the grounds of "too much pre-trial publicity."

Washington, D. C., Nov. 21 (AP).—A federal grand jury at Dayton, Ohio, today indicted a former civilian employe of the Air Force on a perjury charge, based on denials that he knew atomic spy Harry Gold was a Soviet espionage agent.

The indictment was announced by Attorney General McGranery. It was returned against Benjamin Smilg, 39, aeronautical engineer until 1950, when he was suspended.

seeking to set aside the conviction and asking a new trial "on various grounds."

He indicated one of the arguments would be that pre-trial publicity prejudiced the trial.

The execution of the 32-year-old electrical engineer and his 35-year-old wife will be in charge of U. S. Marshal William A. Carroll. He said that the exact date will be secret.

## Only 3 Reporters.

The state executioner will be hired to throw the switch, Carroll said. Electrocutation fees are \$150 per person.

The marshal said he would visit

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## Reds Put Pressure On Judge Kaufman

By HOWARD RUSHMORE

Communists and left-wing committees trying to free Ethel and Julius Rosenberg have been conducting a violent "hate" campaign against Federal Judge Irving R. Kaufman, who sentenced the two spies to death. His office is flooded with letters and telegrams denouncing him and praising the Rosenbergs as great Americans.

\* \* \*

Why do some publishers and many bookstores refuse to push anti-Communist books, while displaying Owen Lattimore's "Ordeal By Slander" and Merle Miller's "Judges and the Judged"? . . . This department has received many complaints from readers who find Chambers' "Witness," Budenz' "The Cry Is Peace" and other pro-American volumes "out of stock" in many stores.

### Can't Buy Anti-Red Book

Irene Kuhn, a crack newspaper woman and established author, reports her book, "The Enemy Within," written with Father Raymond deJaegher, has received only one ad and practically no promotion from its publisher Doubleday & Co. . . . Also, that several priests have written her that the book is unavailable, in their communities, despite fine reviews and high praise from Pope Pius XII and Chiang Kai-shek . . . Doubleday is the firm headed by D. M. Black, who said it took "courage" for him to hire the wife of Alger Hiss.

\* \* \*

Although the Board of Higher Education, for years, has barred reporters from its meetings, that body recently permitted Rose Russell to appear before it and argue on behalf of Communist teachers . . . Her only claim to freedom of speech is her many refusals to answer, under oath, if she is a Red and one of the commissars of the Teachers Union.

\* \* \*

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N.Y. JOURNAL AMERICAN

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Local Constitution party, now infiltrated with professional bigots, wound up its "election" campaign with heavy financial deficit . . . The group is now using a post office box at Grand Central Annex for mailing address . . . Whittaker Chambers, seriously ill in St. Agnes Hospital, Baltimore, won't be present today when Tamiment Institute awards him scroll and \$500 for best autobiography of the year . . . Award will be received, on his behalf, by John Chamberlain, editor of the "Freeman."

### **Tape Recordings**

Various organizations, whose treasury cannot take care of speakers' fees, can now obtain excellent recorded discussions of the Communist problem from Weapons Against Communism, 12 Park Hill Terrace, Yonkers . . . Non-profit group has taped anti-Red speeches by such experts as Bishop Fulton J. Sheen, Victor Riesel and Dr. Paul Fabry.

\* \* \*

The Red-led Teachers Union making wide distribution of literature, urging parent-teacher associations, to "arrange informal gathering of parents of your com-

munity" to demand re-instatement of fired Communist professors . . . Leaflet does not state the teachers were fired because they refused to answer if they were Communists.

\* \* \*

Paul Robeson, one of Stalin's favorite American pro-Communists, drumming up business, as featured artist, for an outfit calling itself United Citizens' Committee for Solidarity with South African Resistance . . . Gale Sondergaard, the actress, who won't tell Congress if she's a Red now, leading California campaign to free A-bomb spies Julius and Ethel Rosenberg . . . Ring Lardner Jr. one of the sponsors of similar meeting here.

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# **Atom Spies Win Show Cause**

The government must show cause tomorrow why the conviction of Ethel and Julius Rosenberg, under death sentence for giving secret information to Russia, should not be invalidated. Federal Judge Weinfield granted the show cause order but refused to stay execution of the death sentence set for the week Jan. 12.

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### Atom Spies Win Show Cause

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# HEARING ON ROSENBERGS UP IN COURT TOMORROW

The Government must show cause tomorrow why the conviction of atomic spies Julius and Ethel Rosenberg, sentenced to be executed in Sing Sing prison the week of Jan. 12, should not be invalidated.

The order was signed yesterday by Federal Judge Edward Weinfeld, who at the same time refused to stay the execution date. Emanuel Bloch, counsel for the Rosenbergs, said he would argue for a full hearing which could take as long as a month.

CLIPPING FROM THE  
 N. Y. N.Y. BROOKLYN EAGLE  
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*Harmon*



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# Kaufman Won't Hear Appeal for Atom Spies

Federal Judge Irving R. Kaufman, who sentenced atom spies Julius and Ethel Rosenberg to death and Morton Sobell to 30 years in prison, asked yesterday that he be relieved of hearing applications to have the penalties set aside on Constitutional grounds.

Judge Kaufman acted after receiving affidavits from attorneys for the Rosenbergs and Sobell charging the jurist with "bias and prejudice."

Kaufman said the affidavits contained the "usual resentment" voiced against a court and jury following an adverse finding. He pointed out that attorneys for the three defendants acknowledged the trial was conducted with the "dignity" and "decorum" that befits an American trial and that they also said, "the court conducted itself as an American Judge."

Nevertheless, said Kaufman, since two of the defendants are under sentence of death and have asked that their new applications be heard by another judge, he was asking Chief Judge Knox to relieve him of passing on the applications.

Judge Knox granted Judge Kaufman's request and assigned Judge Sylvester J. Ryan to hear the applications. Judge Ryan scheduled a hearing on the matter of 2 p. m. Monday in Room 905 of the Federal Courthouse.

The Rosenbergs are scheduled to die in the electric chair during the week of Jan. 12. Sobell is now in Alcatraz.

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Plea on Bias Charge, Turns  
Hearings Over to Ryan

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The Rosenbergs, now in Sing Sing death house, are scheduled to be electrocuted the week of Jan. 12. Sobell was sentenced to thirty years and is in the Federal prison at Alcatraz, Calif. The three were convicted of espionage conspiracy during war-time in transferring secret atom information to the Soviet Union.

Counsel for the three submitted yesterday to Judge Kaufman affidavits charging him with bias and prejudice and asked that he disqualify himself to hear argument on the show cause order.

## Hostility Laid to Judge

In his affidavit for the Rosenbergs, Emanuel H. Bloch charged that Judge Kaufman "had personal hostility toward us." He added that Judge Kaufman had shown prejudice in telling the defendants at the time of sentencing: "I consider your crime worse than murder."

If Judge Kaufman had failed to disqualify himself, Mr. Bloch was prepared to appeal immediately to the United States Court of Appeals. The matter, thus, might not have been resolved for several months. Then the defense could have again resurrected the motion to invalidate the convictions.

Judge Kaufman told defense counsel:

"While I recognize that the law imposes a duty upon a judge to remain in the case when the showing for recusal [objection] is insufficient, as it is here, I have decided that since two of the parties urging this hearing by another judge are under sentence of death, I have as a matter of personal preference, and in the interest of judicial expediency, requested Chief Judge John Knox to relieve me of the necessity of passing upon the Section 2255 applications. [The section deals with a judge's possible bias.]

## Calls Bias Charge Unjustified

"He has acceded to my request. The Chief Judge has assigned Judge Sylvester Ryan to hear the pending applications and I am accordingly referring them to him."

Judge Kaufman described the

affidavits charging bias as "clearly insufficient on their face" and not satisfying a section of the law that would call for a judge to remove himself from the proceeding.

"The allegations in the affidavits amount to no more than the usual resentment against the court and jury following an adverse finding," the jurist said. "This section of the law was not intended to enable a discontented litigant to oust a judge because of adverse rulings previously made.

"If this were so, few judges would be qualified to hear proceedings subsequent to judgment. Nor was this section of the law intended as a weapon in the hands of those who seek to avoid a judge who has heard the case, seen the witnesses and is fully familiar with the record and can, therefore, make an enlightened judgment.

"The defendants have had a fair trial, and as counsel for the defendants, Julius and Ethel Rosenberg, acknowledged at the trial, 'We feel that the trial has been conducted with that dignity and with decorum that befits an American trial,' and added, 'The court conducted itself as an American judge.'"

Judge Kaufman added that defense counsel also said that he, the judge, had "been extremely courteous to us and afforded us lawyers every privilege that a lawyer should expect in a criminal case."

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## Refuses Stay To Atom Spies

Federal Judge Weinfeld yesterday refused to stay the execution of Julius and Ethel Rosenberg convicted atom spies who have been sentenced to die in Sing Sing's electric chair the week of Jan. 12.

A second application filed by their attorney, Emmanuel Bloch, seeking an order requiring the government to show cause why their conviction should not be set aside or invalidated, was put over by Judge Weinfeld until next Wednesday for argument.

Assistant U. S. Attorney Kilshimer, who argued successfully against the application for a stay, said the government also will "vigorously" oppose all efforts to set aside the conviction. The grounds claimed by the defendants will not be made public until Wednesday's hearing.

The Rosenbergs, convicted of wartime espionage in atomic secrets, have been denied a review of their case by the U. S. Supreme Court.

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J.A. [Signature]

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# Kaufman Bows Out of Spy Case; Ryan to Hear Rosenbergs' Plea

Federal Judge Ryan will substitute for Judge Kaufman Monday in hearing applications for a show cause order to set aside the convictions of atomic spies Julius and Ethel Rosenberg, sentenced to death the week of Jan. 12 in Sing Sing Prison.

Kaufman asked to be relieved after counsel for the Rosenbergs charged him with "bias and prejudice" while sentencing them.

While denying he had been prejudiced, and pointing to statements in the record by the defense that he had conducted the trial with "dignity and decorum," Kaufman said he was withdrawing "in the interest of judicial expediency."

The new action is brought also on behalf of a third convicted spy, Morton Sobell, serving 30 years in Alcatraz Prison.

Kaufman called the affidavits

charging bias "clearly insufficient on their face" and not satisfying the section of the law requiring a judge to remove himself from a case.

Emanuel H. Bloch, counsel for the Rosenbergs, claimed Kaufman showed bias when he told them during sentencing: "I consider your crime worse than murder." They were convicted of turning over atomic secrets to Soviet agents.

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# Here's What 10 Years of the Atomic Age Mean

CCB

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*DM*

By **ENRICO FERMI**

It is 10 years since man first achieved a self-sustaining atomic reaction.

Many people link this event only with the development of the atomic bomb and subsequent efforts to develop the hydrogen bomb, to which reference has been made in the last few days by the AEC.

The history of the first self-sustaining nuclear chain reaction, like that of all scientific achievements, begins with man's first philosophical specula-

This is the first of seven articles, each by an internationally recognized authority, which are published as a prelude to the nation's observance of the 10th anniversary of the Atomic Age Dec. 2. A decade after man first achieved a self-sustaining

tions about the nature of the universe. Its ultimate consequences are still unpredictable.

The sequence of discoveries leading to the atomic chain reaction was part of the search of science for a fuller explanation of nature and the world around us.

atomic reaction, these scientists will answer the question: "What have these 10 years meant to the world?"

Prof. Enrico Fermi, who was responsible for the first chain reaction, has won the Nobel Prize and the Medal of Merit.

No one had any idea or intent in the beginning of contributing to a major industrial or military development.

A partial list of the main stepping stones to this development indicates many countries contributed to it.

The story begins in Paris in 1896 when Antoine Henri Becquerel discovered the existence of radioactive elements; that is, elements which spontaneously emit invisible, penetrating rays.

Two years later, also in Paris, Pierre and Marie Curie discovered radium, for many years the best known of the radioactive elements.

In 1905, in Zurich, Switzerland, Albert Einstein announced his belief that mass was equivalent to

Continued on Page 12, Column 1.

## Nobel Prize Winner Describes Long Research by Scientists

By ENRICO FERMI

*Continued from First Page*

energy. This led to speculation that one could be transformed into the other.

A most important discovery came in 1912 when Ernest Rutherford discovered the minute but heavy nucleus which forms the core of the atom. In ordinary elements this core is stable; in radioactive elements it is unstable.

Shortly after World War I, the same Rutherford achieved for the first time the artificial disintegration of the nucleus at the center of the nitrogen.

During the next decade, research progressed steadily, if unspectacularly. Then, in 1932, came a series of three discoveries by scientists working in three different countries which led to the next great advance.

Bothe in Germany, Joliot-Curie in Paris prepared the groundwork that led James Chadwick of England to the discovery of the neutron. The neutron is an electrically neutral building block of the nuclear structure. The other building block is the positively charged proton.

The next step was taken in Rome in 1934. In experiments in which I was concerned it was shown that these neutrons could disintegrate many atoms, including those of uranium. This discovery was to be directly applied in the first atomic chain reaction eight years later.

The final stepping stone was put in place in Berlin when Otto Hahn, working with Fritz Strassman, discovered fission or splitting of the uranium atom. When Hahn achieved fission, it occurred to many scientists that this fact opened the possibility of a form of nuclear (atomic) energy.

The year was 1939. A world war was about to start. The new possibilities appeared likely to be important not only for peace but also for war.

A group of physicists in the United States—including Leo Szilard, Walter Zinn, now director of Argonne National Laboratory, Herbert Anderson and myself—agreed privately to delay further publication of findings in this field.

### Feared Discovery Might Help Nazis

We were afraid that these findings might be of help to the Nazis. Our action, of course, represented a break with scientific tradition and was not taken lightly. Subsequently when the Government became interested in the atom bomb project, secrecy, of course, became compulsory.

Here it may be well to define what is meant by the "chain reaction" which was to constitute our next objective in the search for a method of utilizing atomic energy.

An atomic chain reaction may be compared to the burning of a rubbish pile from spontaneous combustion. In such a fire, minute parts of the pile start to burn and in turn ignite other tiny fragments. When sufficient numbers of these fractional parts





**NOBEL PRIZE** winner Enrico Fermi was responsible for the first chain reaction.

are heated to the kindling point, the entire heap bursts into flames.

### Atomic Pile Tested At Chicago U. in '42

A similar process takes place in an atomic pile such as was constructed under the west stands of Stagg Field at the University of Chicago in 1942.

The pile itself was constructed of uranium, a material that is embedded in a matrix of graphite. With sufficient uranium in the pile, the few neutrons emitted in a single fission that may accidentally occur strike neighboring atoms, which in turn undergo fission and produce more neutrons. These bombard other atoms and so on at an increasing rate until the atomic "fire" is going full blast.

The atomic pile is controlled and prevented from burning itself to complete destruction by cadmium rods which absorb neutrons and stop the bombardment

process. The same effect might be achieved by running a pipe of cold water through a rubbish heap; by keeping the temperature low, the pipe would prevent the spontaneous burning.

### First Chain Reaction Experiment Planned

The first atomic chain reaction experiment was designed to proceed at a slow and controllable rate. In this sense it differed from the atomic bomb, which was designed to proceed at as fast a rate as was possible. Otherwise, the basic process is similar to that of the atomic bomb.

The atomic chain reaction was the result of hard work by many hands and many heads.

Arthur H. Compton, Walter Zinn, Herbert Anderson, Leo Szilard, Eugene Wigner and many others worked directly on the problem at the University of Chicago. Very many experiments and calculations had to be performed.

Finally, a plan was decided upon. Thirty "piles" of less than the size necessary to establish a chain reaction were built and tested. Then the plans were made for the final test of a full-sized pile.

The scene of this test under the west stands at the University of Chicago campus would have been confusing to an outsider. If he could have eluded the security guards and gained admittance,

### Balloon Cloth Hid Secret Operations

He would have seen only what appeared to be a crude pile of black bricks and wooden timbers. All but one side of the pile was obscured by a gray balloon cloth envelope.

This balloon, cubic in shape, had provided the staff some secret enjoyment at the expense of the Goodyear Tire and Rubber Co. which had manufactured it.

The balloon was designed to permit the evacuation of air from the pile but security provisions did not permit telling even the Goodyear designers of this. They built it under the illusion that the Army was going to try to fly a square balloon.

As the pile grew toward its final shape during the days of preparation, the measurement performed many times a day indicated that everything was going, if anything, a little bit better than predicted by the calculations.

Finally, the day came when we were ready to run the experiment. We gathered on a balcony about 10 feet above the floor of the large room in which the structure had been erected.

Beneath us was a young scientist, George Well, whose duty it was to handle the last control rod that was holding the reaction in check.

Every precaution had been taken against an accident. There were three sets of control rods in the pile. One set was automatic. Another consisted of a heavily weighted emergency safety held by a rope.

Walter Zinn was holding the rope ready to release it at the least sign of trouble. The last rod left in the pile, which acted as a starter, accelerator and brake for the reaction, was the one handled by George Well.

Since the experiment had never been tried before, a "liquid control squad" stood ready to flood the pile with cadmium salt solution in case the control rods failed. Before we began, we rehearsed the safety precautions carefully.

Finally, it was time to remove the control rods. Slowly Well started to withdraw the main control rod. On the balcony, we watched the indicators which measured the neutron count and told us how rapidly the disintegration of the uranium atoms under their neutron bombardment was proceeding.

At 11:35 a. m., the counters were clicking rapidly. Then, with a loud clap, the automatic control rods slammed home. The safety point had been set too low.

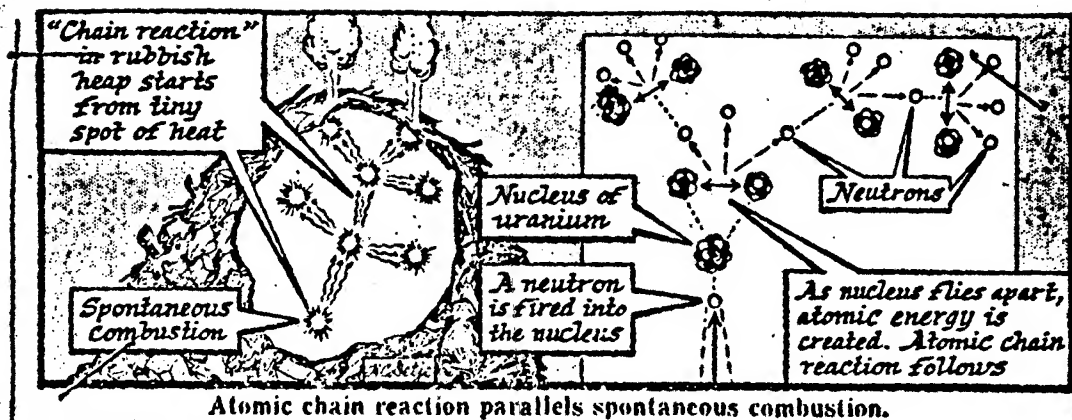
It seemed a good time to eat lunch.

During lunch everyone was thinking about the experiment, but nobody talked much about it.

At 2:30, Well pulled out the control rod in a series of measured adjustments.

Shortly after the intensity shown by the indicators began to rise at a slow but ever increasing rate. At this moment we knew the self-sustaining reaction was under way. The event was not spectacular, no fuses burned, no lights flashed. But to us all it meant that release of atomic energy on a large scale would be only a matter of time.

The further development of atomic energy during the next three years of the war was, of



course, focused on the main objective of producing an effective weapon.

At the same time we all hoped that with the end of the war the emphasis would be shifted decidedly from the weapon to the peaceful aspects of atomic energy. We hoped that perhaps the building of power plants, the production of radioactive elements for science and medicine would become the paramount objectives.

Unfortunately, the end of the war did not bring brotherly love among nations. The fabrication of weapons still is and must be the primary concern of the Atomic Energy Commission.

Secrecy that we thought was an unwelcome necessity of the war still appears to be an unwelcome necessity. The peaceful objectives must come in second line

although very considerable progress has been made also along those lines.

The problems posed by this world situation are not for the scientist alone but for all people to resolve. Perhaps a time will come when all scientific and technical progress will be hailed for the advantages that it may bring to man and never feared on account of its destructive possibilities.

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**TOMORROW:** Robert Maynard Hutchins, associate director of the Ford Foundation and former chancellor of the University of Chicago, discusses the question: "Have Our Ideas Kept Pace with the Changes of the Atomic Age?"

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# THE A-SPY COUPLE

## Moscow 'Discovers' The Rosenbergs

(Oliver Pilat, a member of The Post staff, has made an extensive study of atomic espionage. His book, "The Atom Spies," published earlier this year by Putnam, is the most complete analysis so far of the operations of the Soviet spy ring. This is the first of a series on the Rosenberg case).

By OLIVER PILAT

The case of Julius and Ethel Rosenberg, now awaiting execution as atomic spies, has become a major theme of world-wide Soviet propaganda.

It is being used on an international scale as a key weapon in the Russian-sponsored "hate-America" drive.

What most Americans had regarded as an open-and-shut story of exposed atomic espionage has now replaced germ warfare as a top exhibit in the Communist propaganda book.

In this campaign, as in previous ones, truth has taken a bad beating.

There was no trace of truth in the charge that the U. S. secretly used microbes to decimate civilians behind the battle lines in Korea. Nevertheless the charge made serious headway over a two-year period, particularly in the Orient and the Near East. As Dr. Goebbels proved long ago, almost any falsehood can gain ground if it is repeated often and loudly enough.

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There is hardly any residue of fact in the Communist-sponsored fictions about the life, trial and conviction of Julius and Ethel Rosenberg. Any resemblance between the characters themselves and the picture of them now presented to the world is entirely coincidental.

Nevertheless the Russians and their spokesmen in other countries have unquestionably succeeded in using the Rosenberg case to fan anti-American fires in many places.

The Rosenbergs have apparently chosen to welcome this martyrdom. Only executive clemency or confession, it appears, can save them from the chair; and Julius Rosenberg apparently rejected the alternative of confession in mid-October after learning that the Supreme Court would not review the conviction.

His gesture seemed designed to assure the Communist apparatus that he would carry all Communist secrets to the death chair with him and the international Communist apparatus will probably experience real relief if and when he is out of the way.



Associated Press Photo

**JULIUS ROSENBERG**

**THIS WAS THE SIGN LANGUAGE HE USED TO REASSURE his cohorts:**

In the regular quota of books delivered at the death house that week there were a couple that bore patriotic titles, including "The Story of America" by Hendrik Willem Van Loon. Julius Rosenberg construed this as pressure to make him reveal his accomplices. Referring to the persons who selected the books, he said in a letter to The Daily Worker:

"Know gentlemen, whoever you are . . . I will not crawl or

*Continued on Page 28*

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betray my principles and (I will) continue to fight for freedom."

To those familiar with the Rosenberg story, this was a clear statement of planned martyrdom.

Far from showing repentance for the crime they committed against their own country presumably in the name of a higher loyalty to a foreign power, Julius and Ethel Rosenberg have always boasted about it between the lines in statements intended for Communist consumption.

At first the Communist Party was cautious. During the Rosenberg trial, and for almost a year afterward, the Communist press tried to ignore the Rosenbergs. Only after most of the details of the trial were forgotten were the tom-toms of propaganda allowed to roll, softly at first, then with increasing depth and violence.

All the stops are being pulled out now. One day it is the London Trades Council, with 600,000 members, asking clemency for the Rosenbergs; the next it is a similar group of 400,000 Parisian workers.

Within one week recently, groups of scientists and professional workers in Canada, Australia and Japan and a half dozen rabbis in Palestine, issued appeals in behalf of the Rosenbergs. Picket lines of protest outside U. S. embassies in a half-dozen countries kept the flames of anti-Americanism burning.

Those already drawn into the case include humanitarians, who dislike any death sentence, and gullible believers in any one of a dozen plausible—and often contradictory—anti-American themes which the Communists have unfurled.

In the psychopathic world of the totalitarians, fantasy and reality frequently mix in strange patterns, but this campaign has been carried on openly in places where claims are presumably subject to scrutiny.

*The basic situation in the Rosenberg case was not promising for the Soviets. It has been made to look so only by turning black to white, white to black and blurring areas in between.*

The Rosenberg case illustrated the desperate spying of the Soviet Union against its own allies during the last war. It provided a specific example of the way the Communist conspiratorial apparatus threw hundreds and even thousands of zealots into a feverish search for information about possible postwar weapons.

The search succeeded. Among other things, it apparently netted every important detail about the atomic bomb before the U. S. public realized such a weapon existed.

#### IN THIS EFFORT JULIUS

Rosenberg played a substantial role: He acted as a talent scout for undercover operations among more or less indoctrinated government scientists and technicians. He recruited spies. He spied effectively himself, and he acted as a courier for other spies. He was a paymaster and a padrone of the underground, and

in all his intrigues he was guided and advised by his wife, older in years and in party service than himself.

That Rosenberg was allowed to undertake such varied espionage functions—after a record of expulsion from government service based on an Army discovery of an old application for transfer from one branch of the Communist Party to another—showed the recklessness of the Soviet apparatus.

The lives of the Rosenbergs were unimportant; members of the national Communist parties used for such missions are simply considered expendable by their Soviet bosses.

Rosenberg was involved in something approaching mass espionage, which proved terribly difficult to defeat. This sort of thing may be tried again, if it has not already been tried, against the H-bomb.

The death sentence in the Rosenberg case undoubtedly reflected the belief of the court and the prosecution that the atomic spy ring could be smashed only if individual members helped the U. S. government unfold the whole story.

In the shadow of this possible punishment, others in the net weakened, told their stories and won leniency.

But the process of cumulative disclosure, which had begun to unroll the Soviet net, ran into the tenacious obduracy of the Rosenbergs.

**ROSENBERG IS BELIEVED TO** have distributed upward of



Associated Press Photo

**JULIUS AND ETHEL ROSENBERG**  
*Black and White With Blue in Between*

\$50,000 in escape money when the atomic ring was threatened with exposure. He knows who escaped and who stayed behind to continue the work. At least one man is now held by the U. S. under minor charges in the dwindling hope that Rosenberg will finally talk.

If such facts were given wide currency by U. S. authorities they might keep some well-intentioned persons from falling into the traps of the Communist propaganda drive at home and abroad.

For the purpose of identification, a few of the major Soviet propaganda themes, and their refutation, may be cited:

1. That the Rosenbergs were convicted because they "spoke out for peace."

Fact: The Rosenbergs never

spoke out for peace. They went underground during the war period of the Communist Party and were still there when they were nabbed in 1950. They were espionage agents, not propagandists.

2. That the Rosenbergs were convicted for "holding unpopular views."

Fact: They are Communists all right, but evidence of their communism was introduced at the trial only to dramatize their motive for spying. They had no important public stature as Communists.

3. That the Rosenbergs were "convicted of being Jews."

Fact: Julius Rosenberg broke his father's heart by repudiating rabbinical training in favor of Marxism. The only Jewish ref-

ences at the trial were dragged in by the Rosenbergs to invoke a religious respectability which did not exist.

4. That this is another Sacco-Vanzetti or Dreyfus case. Such labels are designed to focus suspicions about American justice stirred up abroad by decades of steady leftist propaganda. An alternative version in the U. S. is that there was "no evidence" or insufficient evidence to justify the conviction.

Fact: A cohesive, overwhelming pattern of guilt, based on direct and indirect evidence, on written and verbal testimony, was established during a lengthy trial. In this case the jury required only brief deliberation to reach a unanimous verdict.

Though they barely defended themselves at the trial, the Rosenbergs now demand a new trial on the ground that they still assert their innocence.

**AT THE TRIAL THEY ADMIT-**ted almost everything in the government case, up to the precise point of incrimination. Then they entered lame denials. Asked about alternative versions of an incriminating conversation which he had denied, Julius could only stammer like a six-year-old who forgot to do his homework. His rare efforts to pick at this or that strand in the tapestry of fact woven against him and his wife proved disastrous.

Example: Unlike other atom spies, Julius Rosenberg volunteered that he had no intention of fleeing the country. Investigators then located a passport photographer who remembered the Rosenbergs coming into his shop for passport photos just before the date of their arrest. They were going to claim a legacy of Mrs. Rosenberg in France, they had told him.

The Rosenbergs did not dare to deny the fake story about the legacy. They were caught in an unnecessary, completely damning lie.

Another example: The Rosenbergs denied testimony by relatives that they had boasted of receiving various gifts from the Russians, one being a fancy table with photographic attachments.

Called as a defense witness was a somewhat baffled representative of a department store who did testify that the store once sold a table resembling the Rosenberg table (not to the Rosenbergs, but generally). The government promptly produced a maid who recalled that the Rosenbergs told her the table was a gift from a friend.

In the germ warfare campaign whenever the facts seemed too thin to bear the weight, the Communists would shift to a statement that the U. S. carried on bacteriological experiments, or that the U. S. took some dubious attitude on a proposed covenant to outlaw bacteriological warfare.

*You couldn't come to grips with them. In the end, what probably did more than anything else to expose the germ-warfare hoax was a dawning realization that if plague had been used as a military weapon in Korea it would long ago have been evident on both sides of the battlefield.*

In the Rosenberg case, two solid facts have been steadily observed in the tumult.

1. Julius and Ethel Rosenberg were a pair of Communist operatives who committed actions which exposed millions of their fellow countrymen to danger and to death.

2. The worldwide campaign to make anti-American capital out of the Rosenberg case is being operated, clearly and demographically, by the international Communist apparatus.

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# War Delays Full

## Blessings of A-Energy

CB

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CLIPPING FROM THE  
N.Y. JOURNAL AMERICAN  
DEC 1 1952

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## Ford Foundation Educator Deplores Sole Military Use

In the second of a series of articles by famous scientists preceding the Dec. 10 observance of the Atomic Age, Robert Maynard Hutchins, associate director of the Ford Foundation and former chancellor of the University of Chicago, discusses the question: "Have Our Ideas Kept Pace with Changes of an Atomic Age?"

Widely known for his controversial ideas in the field of education, Hutchins made the decision which brought the work on the atomic bomb to the University of Chicago, where the first success was achieved. It was he, also, who gathered the chief men of the atomic bomb project into three new research institutes for peacetime nuclear and metal research.

By ROBERT MAYNARD HUTCHINS

Six and a half years ago, during the discussion of the control of atomic energy, I said in a national broadcast:

"New industries, new communities, more leisure, better health, a longer life—these are among the blessings which atomic energy puts within our grasp . . . To get these things, we need the freest possible research and development, conducted in the public interest, under civilian control. But the prime requirement is peace."

This prime requirement has not been met. We have been engaged in hot and cold wars ever since the bomb dropped on Hiroshima. Atomic energy, which began as a weapon, has continued as a weapon.

Almost all the effort and money that has gone into atomic energy since the first chain reaction at the University of Chicago has been directed to the production of more and more destructive weapons.

I do not underestimate the importance of the use of the radioactive by-products of nuclear fission in pure and applied biology. But I would emphasize that the main stream of research and development in atomic energy has been military and that as a natural consequence the blessings that could have been expected from the peaceful use of this new force have not materialized.

In one way it is unfortunate that this country is the world center of the development of atomic energy. This country needs the energy least for peaceful purposes and thinks it needs it most for military purposes. We have so much coal and oil that energy is not an urgent problem for us.

On the other hand, we are

ourselfes that scientists and engineers can do wonderful things now days, particularly American scientists and engineers.

#### NO REAL DEFENSE.

We know that if we can make more destructive bombs, the Russians can make them, too. We know that if we can make hydrogen bombs, the Russians can make them.

We know that there is no real defense against such weapons. Gen. Groves used to say that the only way to defend yourself against an atomic bomb was not to be there when it went off.

We know that even if we make far better bombs than the Russians, and far more of them, we can suffer untold damage from a few poor ones.

We have concentrated on a marvelous offensive weapon that we know our only potential enemy can use on us; and we have not done much that is serious, sustained or substantial to defend ourselves against it.

We have made little visible progress in our civil defense program or in the dispersion of our industries or in reaching international agreements that might reduce the possibility that the bomb will go off somewhere soon.

On the Sunday after the bomb exploded at Hiroshima, three of us on the faculty of the University of Chicago said on the University's Roundtable, in a phrase borrowed from the philosopher Leon Bloy, that the announcement might be the good news of damnation.

It seemed obvious that in another world war atomic bombs would be used by both sides, and that such a war, however brief, would be so destructive on both sides that nobody could be said to win it. It would mean the loss of much of the accumulated gains of the past 2,000 years, perhaps of Western civilization itself.

In the face of a prospect so dreadful it seemed possible that men would seriously apply themselves at last to the task of abolishing war and building a world in which there would be no atomic bombs and the greatest invention since the discovery of fire could be turned to the benefit rather than the destruction of mankind.

The hope was for a world organization and a world community mutually supporting each other.

This hope has not been realized. The only world organization, the United Nations, is in critical condition, and there is less community in the world today than at any time in history.

Undoubtedly the Russians are the principal offenders. They appear interested in the United Nations only as a distributing point for their propaganda; they have

convinced that we can keep Russia in her place only by the display of overwhelming force. We have been led to believe, partly by the assurance of Mr. Churchill, that atomic energy is the decisive weapon in our arsenal.

If it were not for the fact that the United States, which regards atomic energy as a weapon, is the center of research and development in this field, atomic energy might be coming to the rescue of countries that are poor in energy and that are unlikely to reach a satisfactory standard of living unless they can find new sources of it.

In the absence of discoveries of coal or oil or the exploitation of atomic energy, a country like India can hardly hope to achieve industrialization on a large scale.

In the present state of the world, even a country like the United Kingdom, which badly needs new sources of energy, feels that it must devote its efforts in this field to the manufacture of bombs.

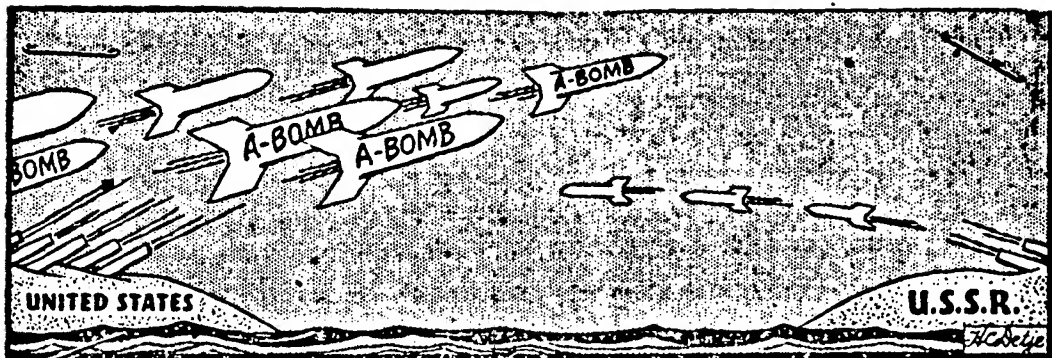
#### EVEN FEAR FADES.

It is not strange that the social consequences that might have been expected from the peaceful use of atomic energy have not materialized. It is strange that the consequences that might be expected from regarding it as a weapon have not materialized either.

The history of atomic weapons suggests that it is possible to get used to anything. Do you recall the wave of terror that swept over the world when the bombs fell on Japan?

Or the similar wave that swept over the United States when, as the scientists had predicted they would, the Russians exploded a bomb of their own?

Now we can read without a tremor rumors of islands being vaporized by new bombs, possibly hydrogen bombs, merely saying to



"We know that even if we make far better bombs than the Russians and far more of them, we can suffer untold damage from a few poor ones"— Robert Maynard Hutchins.



**CITES FAILURE . . .** Educator Robert Maynard Hutchins deplores that the advancement of atomic research has been mainly military.

ostentatiously declined to participate in those exchanges of persons and ideas which are essential to world community.

The danger is that we, in our justifiable irritation at such tactics, will place our trust in our military superiority that follows from it, that we will rely on delusions about the number and quality of our atomic and hydrogen bombs, and that we will fail to do our utmost to strengthen the United Nations and to develop a world community.

With patience and firmness, we

may yet create a world at peace, the only kind of world in which the blessings of atomic energy can appear.

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**TOMORROW:** "How Atomic Research Has Been Used in Medicine to Aid Diagnosis and Treatment of Disease" will be discussed by Dr. Leon Jacobson, professor of Medicine at the University of Chicago and former director of health for the plutonium project of the Manhattan District.

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## **Rosenbergs Again Lose Move to Stay Execution**

Julius and Ethel Rosenberg, convicted atom spies, lost another motion yesterday to stay their execution, set for the week of Jan. 12 in Sing Sing Prison.

The motion for a stay was denied by Judge Sylvester J. Ryan in United States District Court, who set 11 a. m. today for hearing of a defense application to invalidate the convictions of the Rosenbergs and Morton Sobell, who was sentenced to thirty years.

The new application asks for a hearing to set aside the verdict and grant a new trial. The defense charges that pre-trial and trial newspaper reports created a hostile atmosphere at the trial in 1951, that the prosecution was "steeped in fraud" in that the government knowingly used perjured testimony, and that the atomic information transmitted by the trio to Soviet agents was already public information and not secret, and that therefore no crime had been committed.

If the Rosenbergs lose this motion, their only appeal will be for judicial and Presidential clemency.

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## Atom Spies' Plea For Stay Denied

Convicted atom spies Ethel and Julius Rosenberg lost another round in their fight to escape death in the electric chair yesterday when Federal Judge Sylvester J. Ryan denied their second application for a stay of execution.

The Rosenbergs, parents of two young children, are scheduled to die in Sing Sing's electric chair the week of Jan. 12 for passing atomic secrets to Russia during World War II.

Judge Ryan denied the application of the husband-wife spy team, but will hear arguments today on a defense motion to set aside the death sentence.

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E.Y. LINDEN

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## LEGISLATOR URGES STAY FOR 2 SPIES

Velde of Illinois Contends the  
Rosenbergs Could Give U. S.  
Data on Soviet Espionage

Representative Harold H. Velde, Republican of Illinois, who is slated to become chairman of the House Committee on Un-American Activities, has asked Federal Judge Irving R. Kaufman, who presided at the trial of Julius and Ethel Rosenberg, to stay the execution of the convicted atom bomb spies. They are scheduled to be executed in Sing Sing the week of Jan. 12.

The recommendation was made in a telegram he sent to Judge Kaufman several days ago and was confirmed by Mr. Velde by telephone last night at his home in Pekin, Ill. The Illinois legislator said he had urged the stay in the belief that the Rosenbergs could be induced to give the Government information on Soviet espionage in this country.

"A delay in the execution date might be in the interest of national security," he said last night. "If we can obtain information on the Soviet spy apparatus from them, and I think they can give it to us, clemency in their case would be warranted. However, they should receive nothing less than a life sentence."

Judge Kaufman acknowledged that he had received the telegram from Mr. Velde, but refused to dis-

cuss its contents or his own opinion on the matter.

Representative Velde's suggestion apparently carried no influence with Federal Judge Sylvester Ryan, who refused yesterday another defense motion to stay the execution of the Rosenbergs. He heard the motion in place of Judge Kaufman, who last Friday asked to be relieved of hearing applications to invalidate the convictions.

Judge Ryan granted a defense request to postpone until today argument on a show cause order to invalidate the convictions of the Rosenbergs and of Morton Sobell, found guilty with them. Sobell is serving a thirty-year sentence in the Federal prison at Alcatraz, Calif.

Defense counsel have indicated they will raise three basic points in an effort to get a full hearing on the order. First, that pre-trial newspaper stories created a hostile atmosphere, making it impossible to obtain an impartial jury; second, that the prosecution was "steeped" in fraud in using perjured testimony, and third, that the information transmitted to the Soviet Union was public information, and that therefore no crime had been committed.

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10 Years of the Atomic Age:

# A By-Products Boon to Healing

In the third of a series of articles by famous scientists preceding the Dec. 10 observance of 10 years of the Atomic Age, Dr. Leon Jacobson, professor of medicine and director of the Argonne Cancer Research Hospital, University of Chicago, outlines the medical and surgical aspects of atomic research.

By LEON JACOBSON, M.D.

Although work with radioactive elements in medicine and biology had begun before the discovery of the atomic chain reaction, the production of radioactive elements as a by-product of atomic bomb production stimulated a much more general interest in the field.

The number of physicians and scientists who became engaged in research with radiation and radioelements soon numbered in the thousands.

Today the knowledge resulting from these efforts is used in the treatment or diagnosis of a wide range of disease, including leukemia, goiter, cancer of the thyroid, heart disease, blood diseases and in basic medical research. Clues are even at hand for a solution of the problem of preventing deaths and injuries caused by overexposure to radiation in an atomic-bomb explosion.

The story of the use of these radioactive elements goes back just over half a century when William Roentgen announced the discovery of a mysterious invisible ray which was capable of penetrating solid material, including the

*Continued on Page 11, Column 4.*

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10 Years of the Atomic Age:

# A By-Products Battle Disease

By LEON JACOBSON, M.D.

*Continued from First Page*

human body. He named these new rays X-rays.

This dramatic finding was soon followed by the discovery by Henri Becquerel that radioactive elements existed. Before the dawn of the 20th century, four separate and distinct types of penetrating rays were identified, including X-rays, gamma rays, and alpha and beta particles.

In 1934, Ernest Lawrence developed the cyclotron, a new source of powerful rays known as neutrons and Enrico Fermi found that radioactivity could be artificially induced in elements which were ordinarily stable or non-radioactive.

Scientists soon became aware of the practical importance of these discoveries. They saw the possibility of utilizing these radioactive elements as tools to diagnose and treat diseases more effectively and to study how the cells and the body as a whole worked.

What makes an element radioactive or stable? This can best be explained by visualizing each element as composed of a nucleus shaped like a ball or marble around which are a number of other balls which are called electrons. It is the electrons circulating around the nucleus of an atom or element which determines the chemical behavior of the element.

## TURBULENT AREA

A radioactive element differs only in that the nucleus of larger central ball is in constant turmoil and remains so until a ray is released from its interior. It might be compared to the turbulent state which would obtain if a cat and a dog were confined together in a small space. Turmoil and instability would exist until one or the other was released. If the dog got out, we would have one type of emission; if the cat got out, another type of emission. So it is with a radioactive element. Only until a ray of one variety or another is released from the nucleus is stability resumed.

Some of the more important radioactive elements which are used in the treatment of human diseases are radiophosphorus, radiiodine, radioarsenic, radiogold and radiosodium.

Radiophosphorus is made by bombarding sulphur in the atomic uranium pile. The sulphur atoms change into phosphorus atoms. These newly formed atoms are radioactive. Radiiodine, known as I131, is made by placing the element tellurium in the pile. The tellurium atoms are changed to iodine.

The basis for the use of radioactive elements in the treatment of human disease lies in the fact that some tissues of the body select out and concentrate certain chemical elements. The blood forming tissue selectively concentrates radiophosphorus and therefore is useful in the treatment of leukemia, certain cases of Hodgkin's disease, and in the treatment of polycythemia—a disease in which the body produces too many red blood cells. In the treatment, the diseased tissue absorbs the radioactive substance.

## RAYS BOMBARD CELLS

The magnitude of such a radiation effect can best be visualized from an example: In the treatment of leukemia a dose of a certain amount (three millicuries) of radiophosphorus is given to the patient. This material is distributed throughout the body within a matter of seconds. With each second that passes each millicurie gives off 37 million beta rays. Thus, if a dose of three millicuries is given there are 111 million explosions or rays released within the body each second. These explosions or rays destroy the leukemic cells or slow down their growth.

The radioactive element or isotope described above does not continue to give off radiations forever, since as soon as an atom ex-

## TRACE CIRCULATION

In some diseases, radioactive elements are useful in diagnosis. In diseases of the blood vessels in the feet, the adequacy or inadequacy of the circulation of the blood can be determined by measuring the rapidity with which radiosodium, after an injection, reaches various parts of the foot. Compounds made with radiophosphorus or radiiodine are useful in locating brain tumors accurately. This aids in the delicate task of cutting out the tumor by surgery.

In spite of the fact that hundreds of different radioactive elements are now available, only about 15 are being used at the present time in the diagnosis and treatment of disease. The importance of radioactive elements is not confined to the immediate practical problem of diagnosis and treatment. Of far greater importance is the fact that these new radiations and radioactive elements are new tools in research. Only as new facts are learned about how the body operates are medical advances made. The research now being done with radioactive isotopes was not possible a few years ago. One case indicates the usefulness of these tools.

Work in heart disease is a fascinating example. Individuals who develop heart failure or dropy are usually given digitalis to restore the strength of the heart and thus restore proper circulation and relieve distress. The chemical structure of this drug, extracted from the digitalis plant,



plodes the radioactive element has assumed its normal state again and is now an ordinary nonradioactive element.

Radioisotopes are identified by their "half-lives." In a certain length of time one-half of the radioactive atoms will have exploded and become nonradioactive. Radiophosphorus has a half life of 14 days and thus if a given amount has 100 million explosions per second, there will be only 50 million explosions per second after 14 days. With each subsequent 14-day period that passes the number of explosions will again be reduced by one-half.

#### IODINE ATTACKS THYROID.

Radiolodine is important in the treatment of toxic goiter or a hyperthyroid condition (hyperthyroidism) because only the thyroid gland will selectively absorb iodine. Only a few years ago surgery was for all practical purposes the only treatment for that type of goiter in which an excess of thyroid secretion was produced. Today, radiolodine with the beta rays it emits will cure the disease.

The same principle is involved in the treatment of cancer of the thyroid. About 20 per cent of these cases will respond favorably to such treatment. The arrest of a widespread tumor is often spectacular with this method.

To determine whether radiolodine will be effective in such cases, doctors use a Geiger counter to record the explosion of the atoms. The rays penetrate the skin and can be counted by the Geiger counter. By passing the instrument over the body the areas to which the tumor has spread can be exactly located.



**TELLS GAINS** . . . Atomic research is constructive as well as destructive, explains Dr. Leon Jacobson.

is unknown; even the mechanism by which the drug alleviates heart disease is not understood.

Now, however, investigators are growing digitalis plants in sealed containers into which radioactive carbon dioxide is introduced. The plant breathes the radioactive carbon dioxide and builds the radioactive drug within the leaves of the growing plant.

Eventually the leaves are gathered and chemically extracted. The digitalis is purified and then can be administered like ordinary non-radioactive digitalis. As the digitalis has been "labeled" with radioactive carbon, the distribution of it in the body can be determined with a Geiger counter.

No discussion on the medical aspect of atomic energy can neglect the problems created when the atom is used as a weapon of war. One cannot assume that what happened at Hiroshima and Nagasaki will not be repeated. Thousands of lives were lost in these cities from radiation injury. Others who survived are developing delayed radiation effects such as leukemia.

Large sums of money are being spent in an attempt to find effective ways and means of combating the harmful effects of radiations. If this objective is realized, an important civilian defense problem will be solved. Also, such knowledge could be utilized immediately in the vast problems of cancer treatment.

It may be said that this problem of the treatment of radiation

injury is well on the way to solution. Scientists have already shown in experimental animals that a substance made by normal blood-forming tissue will keep animals alive even though a dose of irradiation double the size necessary to kill has been given. Identification and isolation of this substance is not yet complete. But progress is always rapid when a problem of national importance is involved and it can be said that clues to the solution are at hand.

Such a discussion as this would not be complete without emphasizing the dangers involved in working with these radioactive materials and radiations. Infinite care is necessary to avoid harmful effects to research personnel. It is a very costly type of research because of the intricate instruments necessary for conducting the experiments and in protecting the scientists who are doing the experiments.

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**TOMORROW: Col. A. W. Beta** discusses the strategic and tactical use of new atomic weapons.

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# **Judge Reserves Decision On Motion of Rosenbergs**

Judge Sylvester J. Ryan reserved decision in United States District Court yesterday on motions to set aside the death sentences of Julius and Ethel Rosenberg and the thirty-year prison term of Morton Sobell, all convicted atomic spies. The Rosenbergs are in Sing Sing Prison, awaiting execution the week of Jan. 12. Sobell is in Alcatraz prison in California.

Emanuel H. Bloch, defense counsel, contended that the defendants have been "prejudged by the public" because of pre-trial publicity, that the prosecution had used perjured testimony and that the information transmitted to Russia was public knowledge and hence no crime had been committed.

Earlier yesterday Judge Ryan refused a defense plea to bring to court oral testimony from a Federal Judge and a State Supreme Court justice on behalf of the convicted spies.

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# THE A-SPY COUPLE

## The Story They Want to Forget

(Oliver Pilat, a member of The Post staff, has made an extensive study of atomic espionage. His book, "The Atom Spies," published earlier this year by Putnam, is the most complete analysis so far of the operations of the Soviet spy ring. This is the third article of a series on the Rosenberg case).

By OLIVER PILAT

At many moments during the developing Communist campaign to make worldwide capital out of the ordeal of Julius and Ethel Rosenberg, the cry is raised that "no evidence of espionage" was introduced at their trial.

With the passage of time and the blurring of memory this allegation is made with increasing fervor.

The forgotten story of the Rosenberg case is the story of the trial itself and the damning, detailed picture unfolded there of the operation of the atomic espionage ring.

Consider, for example, Ruth Greenglass' testimony about what happened during the winter of 1944-45.

In the fall of 1944, Ruth Printz Greenglass, a red-cheeked, blue-eyed girl of 20, was living and working on the lower East Side of New York, and dreaming of her absent husband David, a T-5 (technical corporal) at Los Alamos. She was very much in love with David.

Ruth had started to save money to go to New Mexico to be with David for her second wedding anniversary on Nov. 29, 1944, but her nest egg was wiped out by a family emergency.

Ruth herself was therefore depressed when she went around one mid-November evening for dinner at the home of Ethel Greenglass Rosenberg, David's older sister, and Ethel's husband, Julius. The Rosenbergs lived in a relatively modern, \$47 apartment in Knickerbocker Village.

Ethel who combined social life with party maneuvering, didn't get to serious matters until the coffee was served. Then she said with an air of sweet importance:

"You may have noticed, Ruthie, that we don't buy the Daily Worker at the usual newsstands, or attend meetings. The reason is that Julius has succeeded in doing what he wanted to do all along."

JULIUS HAD SET HIMSELF UP SOME TIME PREVIOUSLY AS

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commission of pro-Communist government employees among members of the Federation of Architects, Engineers, Chemists and Technicians. Now he harumphed with satisfaction.

"For two years," he said, "I tried to get in touch with the people who would assist me to be able to help more directly than as a party member."

"My friends," continued Julius, using his invariable phrase for the Russians, "my friends tell me David is working on an atom bomb!"

Ruth gasped. All she knew of her 22-year-old husband's job was that it was top-secret.

"It's an atom bomb," repeated Julius, "the most destructive weapon so far. It has dangerous radiation effects. The U. S. and Britain are working on this jointly and refusing to share information which would go to Russia as an ally... I know David will help get me the information, if you tell him about it."

**WHEN RUTH SHOOK HER** head doubtfully and said she was not going out to Albuquerque to see David anyway because she did not have enough money, Julius said he knew that. He had "put aside" \$150 for her expenses.

Ethel then took over the argument. She had guided David ever since she led him into the Communist Party as a boy, and she knew the proposition "was right for him." Ruth had "no right" to deprive David of a chance to make up his mind, she continued. Finally Ruth agreed to go out and relay their suggestions.

Before she left, she had a final session with Julius to go over the information requested: a physical description of the project, approximate number of employees, names of some of the scientists, security measures, camouflage devices and so forth.

David had a five-day pass. He and Ruth enjoyed perfect weather for the reunion; not until it was almost over, during a walk out from Albuquerque toward the Rio Grande, did Ruth broach the Rosenberg idea. David was frightened and annoyed. He wouldn't have anything to do with it, he said.

But the next morning David told his wife he would do as Julius and Ethel asked. He got

Ruth to memorize by repetition their first quota of Los Alamos information.

**NEW YEAR'S DAY THAT WIN-**ter, Greenglass came to New York on a more extended leave. He wrote up a report in the evening and brought it to the Rosenbergs apartment the next morning.

"How would you like to go to Albuquerque, not for another visit, but to live there?" Julius asked Ruth, in an expansive manner.

"I would be happy to be near David," said Ruth.

Whatever money Ruth required to live comfortably in Albuquerque, where David could make week-end visits, would be available, Julius said. It would be a gift, not a loan, a gift not from the Rosenberg, but from their friends, the Russians, who would expect information in return. Julius spelled this all out.

Then came the moment of the famous torn Jello box. David, relaxed in the living room, looked up to see Julius striding in from the kitchen, holding up one side of a jagged side of a box of raspberry dessert.

The Greenglasses were to keep one half, and Julius would turn over the other to the apparatus. The person appearing eventually in Albuquerque with that half would be their Soviet courier.

"Oh, that is very clever," exclaimed Greenglass, as his brother-in-law basked in the general admiration.

"Simplest things are always cleverest," said Julius.

**WHEN ATTORNEY EMANUEL,**

H. Bloch was retained to represent the Rosenbergs after their arrest in July, 1950, he ignored virtually everything about the Greenglass story except the torn jello box.

"This is fantastic," he told reporters. "It's something kids hear on a Lone Ranger TV program."

(Bloch was still talking like that during the trial. A jury quickly found the Rosenbergs guilty. Months later, Hede Massing, ex-wife of Gerhart Elster, published a book about her underground experiences.

(The torn-box idea was an old standby among Soviet spies, she wrote casually, and it was proposed as a recognition device during her first visit to the U.S.)

**TO RETURN TO THE WORK-**ings of the Jello box angle,

## FEATURE OF THE DAY

Harry Gold came with the torn half of the box to Albuquerque, according to the evidence, David Greenglass, always somewhat naive, assumed that since Gold said he "came from Julius," that he was a personal acquaintance of Rosenberg. He babbled about his clever brother-in-law in New York until Gold, an old hand in undercover operation, cut him short, rather than give away the fact that he got his half from Rosenberg's Soviet superior.

The testimony of the Greenglasses remains steadily in character. It holds together. It occupies hundreds of pages of testimony, goes back and forth, crisscross, without any serious contradiction or challenge.

As time passed, the items in the testimony of Ruth and David Greenglass which seemed most incredible at first have been verified.

During their postwar associa-

tion, David said Julius bragged a great deal, trying to get him back into active espionage. Julius told him about sending promising operatives back to school at the expense of the Soviet apparatus, and how one of his men had stolen super-secret data about a U. S. project to establish a station 3,000 miles out in space.

When the Rosenberg defense committee was set up, this space station came under quick attack. "Kid stuff," laughed the Rosenberg apologists. David was just a nut on science fiction, they said. He imagined it all, or else Rosenberg was just amusing him.

Eventually, of course, the Dept. of Defense revealed that a Burk Rogers sort of space station had been a subject of much research during the war.

The Rosenberg defenders then switched their line. This was old stuff, they said; the Russians did work on space ships a decade or so earlier.

### THE SAME SORT OF DOUBLE-

talk has been followed in an attempt to ridicule Greenglass' testimony that he gathered and transferred data on explosive lens experiments at Los Alamos to

trigger the Nagasaki bomb.

The Rosenbergs ~~do not~~ have anything to do with the theft of atomic secrets, the Communist propagandists assert. Anyway, they add, the Russians engaged in general atomic research before the war, so no secrets could have been involved in whatever they did steal.

The tipoff on the caliber of the effort to discredit testimony in the case came with the publication of a special pamphlet by William Reuben, a free-lance writer for the National Guardian, a pro-Communist news weekly, in the Fall of 1951. His great discovery was that Klaus Fuch was sometimes called "Julius" by intimates in England.

References by Elizabeth Bentley, the confessed courier, to phone calls from a mysterious "Julius," an engineer living in Knickerbocker Village, and to a rendezvous between this Julius and her spy-boss, Jacob Golos, could therefore have meant Fuchs, the British atomic spy, not Rosenberg. Reuben pointed out.

Similarly, references to "Julius" when Harry Gold called on the Greenglasses in Albuquerque could have meant Fuchs, said Reuben.

The only trouble with this theory was that Fuchs was not in the U. S. when Miss Bentley drove Golos to Knickerbocker Village or took messages from the Julius who lived there. As for David Greenglass, he was clearly talking about his brother-in-law, Julius Rosenberg, in the content of very concrete family relationships.

Presented with easily available evidence that his theory was preposterous, Reuben did not defend it. He was "just talking about a possibility," he said. Whereupon the Rosenberg defense committee dropped this particular chestnut.

IN RECENT MONTHS, ROSENBERG rallies have adopted cruder tactics. One favorite orator, a petty official in a Communist-controlled union who says he was brought up on Sheriff St. in the East Side near the Greenglasses, shouts that David was "the laughing stock of the neighborhood as a boy, a regular half-wit."

This is just not true. Greenglass was a plodding, steady, conscientious worker, as a boy and as a man, every family source and every bit of testimony in the case make clear.

Greenglass was entrusted with actual supervision over one of the three super-secret machine shops at Los Alamos.

Recently the National Guardian ran, and the Daily Worker reprinted, a long "analysis of the evidence" by D. N. Pritt, a British lawyer who writes for various Communist publications. Pritt's "analysis" disposed of David Greenglass in short order. The machinist could not be believed because he exposed his own wife in his confession, said the Briton.

Anybody who knew anything about the case could stop there. What gave Greenglass' story its great credibility was his willingness to hew to the truth, even though it involved exposing his own wife, whom he loved more than life itself, as he said quietly on the stand. It also required him to expose his sister Ethel, for whom his affection never wavered.

Consider for a second the Communist assumption that Greenglass was "inventing" something to "get even" with Julius Rosenberg for postwar business arguments between them.

To "get" Rosenberg would the man have unnecessarily invented details involving his own sister and his own wife?

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# Dear Editor

Re Julius and Ethel Rosenberg  
Congratulations on Oliver Pilat's fine expose of the Rosenberg case. The grotesque fact is that the Communists are murdering Julius Rosenberg. Klaus Fuchs talked, Harry Gold talked, David Greenglass talked, but Rosenberg, the key link in the chain, does not. By making him a world-wide martyr, a synthetic Dreyfus, the Communists make sure that he will not talk and thus save himself and his wife. What a cold comfort to take to the grave! And what an uneasy conscience the Brainins, the Almans, and other front manipulators must have to play this ghoulsh role.



SLANSKY

At the moment that the Rosenberg campaign was reaching a fever heat, Rudolph Slansky was saying tonelessly in a Prague courtroom:

"By proposing that a big campaign be waged against anti-Semitism, by magnifying the danger of anti-Semitism, and by proposing various measures against anti-Semitism—such as the writing of articles, the holding of lectures, and so forth—I criminally prevented the waging of a campaign against Zionism and the revelation of the hostile character of Zionist Ideology."

Where, then, is the anti-Semitism?

The Rosenberg case today has two purposes: To prevent the unhappy spy from talking and to divert attention from the ghastly campaign in Prague.

DAVID REIN.

Max Lerner wrote: "I agree that the death sentence (in Rosenberg case) was unprecedented and harsh. You editorially disagree with this and

with millions who say: The plea is now to commute the death sentence; not to submit to a one-sided version of the trial; not to label people as dupes of Communism. I urge discontinuance of Pilat's series. M. COHEN.

I strongly protest your editorial and series of articles on the Rosenberg case. I don't know if the Rosenbergs are innocent or guilty but I am convinced that the death sentence is unusually harsh. Instead of adding your voice to the hangman's noose, you should be calling upon the President for clemency. ROSE BASSIS.

Oliver Pilat is to be congratulated for his objective treatment of the Rosenberg case. Every major Jewish organization and spokesman has repudiated the claim by Rosenberg defenders that the case was anti-Semitic in character; the American Civil Liberties Union has rejected the phony challenge that civil rights were violated in the death penalty; even weak voices urging clemency have been magnified by the Rosenberg defenders to include a forgery out-of-context that they are guiltless. Several Israeli rabbis, moved by the tears of a "relative," urged clemency without knowing all the facts; and when a "relative" was tracked down, it appears that a Communist agent was using the forgery techniques employed during the Stockholm Peace Petition, made a false claim and the rabbis have written to President Truman repudiating their original action.

Few people are aware that the Rosenbergs gave Russia, not the formulae for the A-Bomb, which its scientists, of course, claimed to have first, but they gave the Soviets the know-how; Russia had the bullet, the Rosenbergs gave them the mechanism for the gun.

WALTER L. KIRSCHENBAUM.

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10 Years of the Atomic Age:

# A-Arms to Alter War Techniques

In this fourth of a series of articles by famous scientists on the tenth anniversary of the Atomic Age, Col. A. W. Betts, former chief of the Atomic Energy Section Armed Forces Special Weapons Project, answers the question: "How Successful is the American Program for Atomic Weapons?"

By COL. A. W. BETTS

The principles of warfare have had very few, if any, basic changes since the beginning of recorded history. It is highly improbable that the introduction of atomic weapons to the field of battle will upset this established pattern.

However, the techniques of conducting warfare in modern times will certainly go through some very significant changes as the use of atomic weapons becomes routine.

Fire power will always be a dominant factor in battle. Atomic weapons provide the commander with greater fire power at his immediate control than was ever dreamed possible before these most unique weapons became available.

Many were the times in World War II when commanders in the field would have been able to achieve dramatic success if they had had available the essentially instantaneous fire power of hundreds of battalions of artillery, the equivalent of one atomic explosion.

The artillerist thinks of this fire power in terms of "Time on Target" and his constant effort is directed towards reducing this time to a minimum in laying down a barrage.

No reasonable strength in artillery can ever be expected to provide the catastrophic impact of an atomic explosion.

If one goes back to the days of the phalanx as an example of one of the earliest efforts to mass offensive capability, we find that

the impact and fire power of cavalry, as well as improvements to bows and arrows, broke up this mass and began to force dispersion on the battlefield as a means of combatting such "fire power."

It is true this dispersion was

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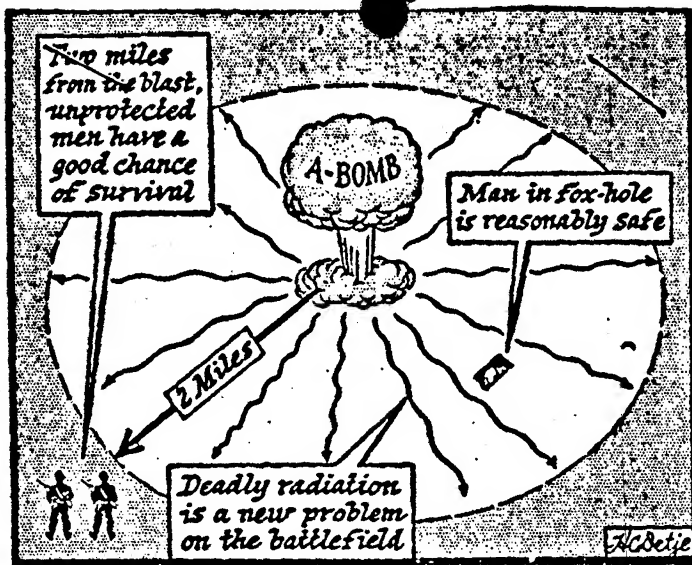
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Journal-American Diagram by H. C. Bole

On the battlefield, use of the A-bomb would be too expensive unless opposing troops were heavily concentrated.

of typical offensive situations where men will be caught in the open, giving an obvious advantage to the defense in the use of atomic weapons.

#### NO A-BOMB IN KOREA.

A consideration of these factors explains in part why there is no great clamor today to use atomic weapons in the Korean operation.

Both sides in this battle are very well dug in. Atomic weapons do not show up to advantage in attacking this type of position. If a major offensive should be staged by Communist troops in Korea this picture might be changed.

It has been said that the Nagasaki bomb is obsolete, that bombs bigger and better than this can be built. In fact, it is no secret that the AEC is working on a thermonuclear bomb which presumably can be made to give as big an explosion as required if it can be made at all.

Even a weapon such as this does not solve the Korean situation, nor may it ever be a satisfactory weapon for employment with field armies.

#### TWO-FOLD PROBLEM.

The basic problem in the employment of very large field weapons is two-fold.

While there is a natural desire to increase the size of the explosion in order to attack well protected targets, such protection is most likely to be found in too close proximity to our own forces to employ such yields.

The two-fold problem becomes first to find targets large enough

to justify their use, and second, to find them at a sufficient distance from friendly troops to assure reasonable safety for those troops.

It is rare on the field of battle that one finds targets in immediate sight of the front line commander in anything like the large numbers that appeared at certain stages in the Korean operation.

#### MASSING UNLIKELY.

Massed targets in terms of thousands of soldiers are unlikely to appear unless we can present sufficient strength to force them to deploy this mass.

The relatively few divisions which the free countries are able to place on the field of battle in defense against the Communist hordes will find it difficult to present a position sufficiently strong that real mass will be required to overcome it.

Where, then, can remunerative targets be found? We know that concentrations appear in major unit assembly areas in preparation for attack, but proved camouflage capabilities make these targets difficult to locate.

Obviously, improved reconnaissance methods will become a fundamental requirement in our planned employment of atomic weapons.

#### JOB FOR SPOTTERS.

We must find concentrations of the enemy, relay that information to our command structure, assess the target, and deliver the atomic explosion all in a time sufficiently short to assure the continued existence of the target.

This total activity will always be easier to accomplish when the target is comparatively close to friendly forces, but here the fundamental problem will always exist in the fact that the heat effects of atomic weapons extend to a considerable range in clear weather if troops are caught in the open.

For safety of our own forces it will be a very difficult timing problem to assure that every friendly soldier is in his fox-hole at the time of delivery of the weapon.

When one considers the employment of a very large yield bomb such as the potential of the thermonuclear bomb, this very gradual tapering off of effects can be a serious limitation on the employment of the weapon.

Moreover, it will be highly improbable that we will fight our battles in areas so barren that a large weapon such as that could be used without serious risk to the civilians in the area. Atomic warfare will indeed be hell to an extent never before experienced.

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**TOMORROW:** Dr. James G. Beckerley, director of classification for the Atomic Energy Commission, answers the question: "How Secret Is the Secret of the Atomic Bomb?"

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## Defers Decision In A-Spies Case

Decision was reserved yesterday by Federal Judge Ryan on the motions to set aside the death sentence for Julius and Ethel Rosenberg, both now in Sing Sing awaiting execution the week of Jan. 12 on atom spy charges. Also deferred was disposition of the sentence of Morton Sobell, in the same case, now in Alcatraz prison on a 30-year term.

The Rosenbergs' attorney Emanuel H. Bloch, contended his clients had been prejudiced by the public in a "virulent and hostile climate which made it impossible for these petitioners to secure a fair and impartial verdict by a fair and impartial jury." Howard Meyer, Sobell's lawyer, argued the prosecution produced "no evidence that Sobell participated in atomic bomb espionage."

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# 10 Years of the Atomic Age: Many 'Secrets' Are Well Known

## Facts of Fission Kept Hidden As Long as They Can Aid Foe

Fifth Article

By JAMES G. BECKERLEY

Director of Classification of Atomic Energy Commission

Most people, completely unprepared for the intrusion of atomic energy into their already complex lives, have adopted the convenient escapist dogma that "Practically all atomic energy information is secret."

This is a convenient idea, for it saves a trip to the library—no need to look it up if everything that is at all interesting is secret. A convenient idea, but just not true. It never has been true and is even further from the truth on this tenth anniversary of the operation of the Chicago pile.

The fact is, that while there are certain specific ideas and techniques which are kept from

public view, there are many others which are publicly revealed. We keep secret those ideas and techniques which we believe might help the atomic weapons program of potential enemies of free men.

### SECRETS OFTEN CHANGE.

As these potential enemies increase their knowledge of atomic energy technology, through their own efforts and undoubtedly through espionage, the nature of the secrets we keep must change correspondingly.

For example, we may become more secretive about our newer

production ideas and less sensitive about obsolete plans. In this manner, atomic secrets are always changing; new ones are added, old ones revealed.

Keeping the same information secret indefinitely would be justified only if the U.S.S.R. and its stooges stood still in their development of atomic weapons. Unfortunately, this is not the case.

Atomic weapons are not a monopoly of the free nations. Three atomic bombs have been exploded by the U.S.S.R. Certainly it is no longer necessary to keep secret information on the important first steps in the development of atomic weapons, such as how to build certain types of nuclear reactors or "atomic furnaces."

Any project which has reached the stage of testing atomic weapons has already mastered much more than this part of the art of producing fissionable material.

The actual situation is not unlike that existing for other military devices. We have atomic secrets just as we have secrets about our more advanced guided missiles or jet aircraft or our most recent countermeasures of submarine warfare.

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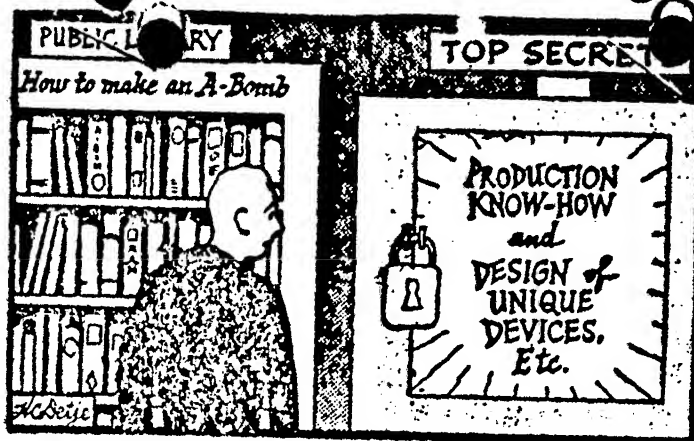
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Most of the atom bomb secrets are technical know-how

#### DATA IN LIBRARIES.

Similarly, just as jet aircraft secrets are a small fraction of the field of aeronautics, so are the atomic secrets we keep a relatively small fraction of the field of atomic energy.

If you believe everything is secret in the atomic energy program, then just ask any atomic reactor specialist about the first Chicago pile, the construction of which was the key to the production of plutonium. You can ask any question you want on this first "atomic furnace" and you will get a complete answer.

Any notion that almost all information on atomic energy is secret may be dispelled further by some library work. A whole shelf-full of technical books has been written on the basic science and engineering of the atomic energy project, a series of books which, to the dismay of the publisher, are definitely not best sellers.

Technical articles in the atomic energy field are so numerous that some scientific journals are overburdened with them. Textbooks are available as well as hundreds of pamphlets.

#### INTERNATIONAL FACTS.

Before exclaiming, "All our secrets are out!" you had better pause and consider some facts. First, basic information in the atomic energy field is being discovered and published all over the world. Even the U.S.S.R. publishes technical articles in the field and apparently has scientific talent comparable to our own.

This body of fundamental knowledge is international in character and, not being directly concerned with the technology of production of fissionable material and atomic weapons, is printed in scientific journals by all countries. We keep secret very little of such basic scientific information.

A second fact to consider is that a fundamental characteristic of a democratic society—and one which contributes much to its strength—is the free flow of in-

formation. Just as the average citizen would be lost without his newspapers, magazines and books, so would the technical community be lost without its scientific journals and books.

To keep the technical community well-informed and thereby capable of contributing to the utmost to the atomic energy effort, it has been the commission's policy never to withhold any information from publication unless there is good reason to believe the information will assist "inimical interests"—and assist them more than it will help our own country.

As an example, we have always released practically all technical data on nuclear instruments since we are convinced that the usefulness of the data to United States industry outweighs any possible usefulness to the U.S.S.R.

#### KNOW-HOW KEPT SECRET.

Similarly, practically all biological and medical work is conducted in the open and is freely published. Cyclotrons, betatrons, cosmotrons and other species of "atom smashers," sources of a large part of our basic knowledge about atomic energy, are built and operated in the open and papers published by the pound.

What is kept secret? The principal secret is production know-how. Our plants are often built by one or more large contractors with hundreds of sub-contractors and suppliers in full view of thousands of workers. The plants are equipped for the most part with standard, off-the-shelf items, plus some modifications of commercially available devices.

A surprisingly small percentage of our production plant cost is for really unique equipment. Actually, if it were a large percentage, we just could not have achieved the current production capacity in the relatively short space of time it has taken.

The strength of our atomic energy program does not depend primarily on our ability to manufacture unique or "secret" equipment or materials; rather it depends on the capabilities of United States industry to produce quickly and relatively cheaply, great quantities of reliable precision equipment.

#### ONLY FEW ITEMS UNTOLD.

As an example, the great gaseous diffusion plants at Oak Ridge and Paducah are filled with standard or nearly standard items of equipment purchased from U.S. industrial suppliers. Only a few items have required extensive special development work and can properly be considered "secrets."

The manufacture of the diffusion barrier, a vital and unique part of the plants, is a closely guarded secret technology. Nevertheless, it is only because there has been no general industrial interest in such a material that it cannot be ordered as an off-the-shelf item.

Although the components of the plants are for the most part not secret, precisely how the plant itself is operated is secret. The achievement of steady, day-after-day efficient production requires considerable technical skill.

The "tricks of the trade" used to avoid calamitous shutdowns and



#### INSIDE STUFF...

Dr. James G. Beckerley, director of classification of the Atomic Energy Commission, reveals that some aspects of the bomb are now commonplace while others remain top secret.

to produce a uniformly acceptable product — this is information worth holding. It is information which can only be gained through actual operating experience.

It is the desire to conceal such operating know-how which prevents our making public more information about certain production plants.

Part of this same production know-how is involved in the power-plutonium reactor studies currently being conducted by a number of industrial groups. The projected reactors are intended to produce fissionable material, plutonium, and to generate electricity power from the heat evolved in this production.

#### CONTROL INFORMATION.

Ultimately such reactors might supplant the commission's present production units where the heat is not used. If reactor technology is kept as part of our production secret, then industrial activities in this field may be somewhat less than free.

Clearly, secret information is controlled information and Government control of information is not consistent with the usual concept of free enterprise. Industrial engineers cannot design such plants without having access to much information now considered secret and the commission holds the key to that access.

The dilemma facing the commission (and Congress, since legislative action may be necessary to resolve the question) is whether substantial reactor technology should be made public — and thus available to the U.S.S.R. — so that really broad industrial participation may be realized; or whether it should be kept secret, and thus not be available to either the U.S.S.R. or to U. S. industry as a whole, and participation be correspondingly limited.

#### DEBATABLE FACTORS.

The dilemma is of course a basic one. Debate is presently rather subdued, inasmuch as the status of reactors is such that practical industrial use is still marginal economically and technically, replete with question marks.

As reactor technology progresses and the feasibility of economical nuclear power plants becomes more promising, discussion of the pros and cons of keeping secret this portion of our atomic know-how will probably become more intense and widespread.

In bomb manufacture there are many secrets. Often called "gadgets" on the project, bombs consist of clever arrangements of parts and materials, generally unique to the business. Nevertheless, many of the components are made by commercial concerns as part of their routine production of consumer or industrial goods.

Such of the components as are unique require extensive development and appear to be of no use for anything except atomic weapons. These are kept secret.

#### ASSEMBLING CLOAKED.

The production technology—the manner of engineering many complex parts and putting them together into reliable, precise, rugged devices known as atomic bombs—is secret. Nevertheless, it should be understood that the production contractors are probably able to accomplish these difficult jobs by virtue of skills and knowledge acquired through competition in a free enterprise system.

It would be less than candid to state that the only secrets we have are those of our production know-how and the design and manufacture of unique and specialized devices and materials.

We try, with some success, to conceal the precise scale of our production effort and the scheduling of our more sensitive projects. This is an almost impossible task in a democracy which is nominally at peace.

#### MANY FACTS, REVEALED.

During seven years of the 10 the atomic energy program has been exposed to public view in many ways. In spite of this there are still many who have adopted the naive attitude that the whole program is secret.

This viewpoint, dangerous because it shuts out of public discussion some of the most impor-

tant issues of the day, should be replaced by the understanding that there are certain secrets about the exact way fissionable material and atomic weapons are manufactured, just as there are certain secrets about the details of jet aircraft manufacture.

Such an understanding of the nature of atomic secrets should provide us with a deeper sense of security. It is reassuring to know that these new weapons have not been placed in the arsenal of free men through use of a secret and mysterious technology sheltered under the hats of a few individuals.

It is reassuring to know instead that our atomic strength is firmly based on the production genius of American industry operating in the open competition of a healthy democracy.

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**TOMORROW:** Philip Sporn, chairman of the electric power industry's advisory committee to consult with the Atomic Energy Commission, previews atomic energy power for America's industries.

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TRAINING UNIT

10 Years of the Atomic Age:

## Cheap A-Power System

## Facing Many Problems

ccB

*[Handwritten signature]*

CLIPPING FROM THE

N.Y. JOURNAL AMERICAN

DEC 5 1952

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15348 A-668

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DEC 8 1952	
FBI - NEW YORK	



## Sixth Article

By PHILIP SPORN

President, American Gas and Electric Co.

Recently there has been a new optimism about prospects for nuclear power. There is justification for this optimism; but it is important to know why.

Nuclear energy, if and when it can be utilized to produce electric power economically, will merely provide a new form of fuel.

The reactor producing it will thus take the place of the boiler side of an electric generating station producing power from heat.

The conventional steam turbines and all the rest of the power system will continue as at present.

What we hope for, therefore,

in attempting to perfect nuclear energy is primarily to reduce the cost in one of the elements of power production, namely, fuel.

### COST A FACTOR.

Fuel represents a substantial portion of the production costs and also of the overall costs of thermal generated power today.

And if the more optimistic ideas as to breeding—and associated chemical processes—can be realized, the fuel cost could be reduced by nuclear reactors to perhaps 10 per cent of what is experienced in a conventional steam boiler.

This prospect of a radical cheapening in fuel cost for power through nuclear energy is still only a hope. There is no real question as to the technical or mechanical feasibility of using nuclear energy to provide the fuel for electric power.

The only serious question is whether or not nuclear energy can be produced cheaply enough to make the hope a reality.

It is against the background of these views of the recent past that we need to examine the new mood of optimism which is currently finding expression.

### NUCLEAR REACTOR IN SUB.

What this optimism really reflects is first, the natural satisfaction because a submarine with a nuclear reactor as part of its propulsion equipment will soon be an accomplished fact.

Second, it reflects the fact that substantial and rewarding work is being done looking toward the development of power as a byproduct of producing plutonium.

Finally, the optimism reflects the encouraging experience that the Atomic Energy Commission is beginning to get in connection with the operation of a number of its experimental reactors.

### SIDE OF SUCCESS.

On June 14 last, the keel was laid for the first nuclear power submarine. The reactor power plant for this submarine is being developed and will be built by the Westinghouse Electric Corp. working jointly with Argonne National Laboratory.

No one who has been permitted to see the reactor has any doubt that it will be highly successful.

There is no material difference between the conventional and nuclear powered plant driving a submarine expected in a matter of "decades."



**SEES BENEFIT . . .** Philip Sporn, chairman of the electric power industry's advisory committee to consult with the Atomic Energy Commission, looks forward optimistically in his preview of atomic energy power for U. S. factories.

or a carrier and a central station plant of about the same size.

Why, then, is it not possible to use the same kind of plant for the generation of central station power?

There is no reason except the matter of economics. It simply is not possible in the present state of technology to design and construct nuclear reactors that would produce a unit of electric energy for commercial purposes at anywhere near the same cost as conventional fuels.

#### THE MATTER OF COST.

The unsolved problems which make nuclear power so costly are quite technical. To mention a number of them:

There is the metallurgical problem of finding materials capable of standing the high temperatures needed in equipment for the modern thermal system of power generation, while at the same time the material is subject to neutron and other radiation bombardment.

#### OTHER COMPLICATIONS.

There is also the problem of heat transfer systems operating under the limitations imposed by high temperatures needed for efficiency, whereas high temperatures may be bad for the safety of the reactor; there is the processing of radiated materials; and there is the problem of disposal of the large quantities of radioactive wastes—fission products.

All of these complications add greatly to the difficulties and to

the cost of producing heat in a form that can be utilized by a steam turbine or a gas turbine.

An evaluation of the final cost of producing a unit of energy, in the light of these complications, leads to the conclusion that under present conditions a plant using nuclear fuel—assuming such fuel could be made available under the pressing military needs of today—will be far more expensive than the same unit of energy produced by conventional fuels—coal or gas or oil.

#### AS PLUTONIUM BYPRODUCT.

It is, however, possible to produce power as a byproduct of plutonium. Nuclear reactors in producing fissionable material also produce heat.

At the reactors in the Hanford Works at Richland, Wash., for example, natural uranium containing a small fraction of U-235 is utilized to produce plutonium for bombs.

In that process a great deal of heat is generated and rejected to the Columbia River.

Obviously if it were technically possible so to modify the plutonium reactor operation that the heat now wasted were put to use to generate energy, the byproduct power might be produced at an attractive cost.

The present program that is being carried out by the Atomic Energy Commission and the agencies collaborating with AEC, utilizing such new tools as the Materials Testing Reactor and the Experimental Breeder Reactor, both of which are now in operation at the National Reactor Station in Idaho, and the work of the AEC with the Homogeneous Reactor at Oak Ridge, will all lessen the time and reduce the cost of developing successful economic, self-supporting commercial reactors.

It is also highly desirable to continue and expand the present program of survey and study of reactor technology by private industrial groups collaborating with AEC.

We need, too, a program of re-

search and development in straight or regenerative reactors.

Finally, it would appear important that measures be devised for bringing the entire electric utility industry—public and private—into closer contact with what is going on in this field.

It seems clear that if nuclear power becomes a commercial reality, the utility systems of the country would be the largest potential users of reactors just as they are today the largest users of fuel fired steam boilers.

It is the utility industry, therefore, which perhaps more than any other is interested in the prospects for nuclear power which could contribute to its development.

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**TOMORROW:** Gordon Dean, chairman of the U. S. Atomic Energy Commission, reports on "The Atomic Industry—Its Growth and Place in American Society."

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Ten Years of the Atomic Age:

# Grave Decisions Face U.S. In 2d Decade of A-Power

7TH AND CONCLUDING ARTICLE

By GORDON DEAN

Chairman, Atomic Energy Commission

In looking back over the first decade of the atomic age, one can identify some very positive accomplishments:

An enormous physical plant has been built. The current capital investment in atomic energy facilities is approaching \$5,000,000,000, and when the current expansion effort is completed this figure will have climbed to about \$9,000,000,000. Compare this with the ten years it took to build the \$365,000,000 Panama Canal.

The production of atomic weapons has been placed on an assembly-line basis, and a whole family of weapons is being developed to handle a wide variety of military situations.

A measure of the developmental progress that has been made is the frequency of the tests that have been held at Nevada and Eniwetok.

## EXPERIMENT IN POWER.

Power has already been produced experimentally from atomic energy in a research machine in Idaho, and work is well along on the first nuclear-powered submarine.

Research is also going forward on nuclear propulsion devices for large surface ships and airplanes.

A representative group of American industrial concerns has taken a long look at the possibility of large-scale nuclear power production, and has concluded that it is technically feasible.

Research is going forward to reduce costs so that it may someday also become economically feasible.



**AUTHORITATIVE . . .**  
As chairman of the Atomic Energy Commission, Gordon Dean leads this nation's entire atomic program and, along with his fellow commissioners, is responsible for its success or failure.

ccB

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N. Y. JOURNAL AMERICAN

DATED DEC 6 1952

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producing power and isotopes for the good of mankind.

Research work to date continues to turn up possible uses for atomic energy not thought of before. Current research, for example, suggests that certain very radioactive materials may be useful in the cold sterilization of drugs and possibly foods.

Other work suggests that the minute atomic particles known as neutrons may be useful in destroying brain tumors.

Still other current research holds out the hope that man, through atomic energy, may learn the secret of the now-mysterious process by which nature produces food and fuel from sunlight, air and water.

All this is progress made in the short span of ten years. When one stops to consider the state of development a decade after electricity was first harnessed, or the airplane invented, or petroleum discovered, one cannot help but marvel at the rapid development in atomic energy.

#### CO-OPERATIVE JOB.

But this progress has not come easily—or cheaply. It has required the mobilization of many talents, many skills, and many, many dollars.

To date the American taxpayer has invested about \$12,000,000,000 in the atomic energy program.

Most of these dollars have been forthcoming for just one reason—the immense value of atomic energy to the national security.

World War II and the fervent desire of the United States to prevent War World III has produced the dollars—and the impetus—that atomic energy development has been given in the past decade.

#### NATIONAL MONOPOLY.

Today atomic energy is a government monopoly. Virtually everything that is done in the nuclear field is done either at the order of or with the permission of the government, and the Government owns all of the principal installations — comprising more acreage than the states of Rhode Island and Delaware combined.

The atomic energy enterprise is a government monopoly for the same reason that it is big—because of its value to the national security.

National security is the Government's business, and national security is the paramount objective of the atomic energy program.

Atomic energy is much, much more than weapons, as we shall

see during the next decade, when I strongly believe many significant forward strides in peaceful development will be made.

These strides will mean a lot to all of us, and it would be a tragedy if in this great democracy, all of us do not do our part in shaping the course of our atomic future.

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#### IN HUMANE WORK.

For six years now, the products of atomic energy called "radioisotopes" have been produced and distributed to medical, industrial, agricultural and scientific institutions. To date, more than 30,000 shipments have been made to more than 1,000 consumers.

Gradually but surely these materials are contributing to improved health, better industrial products and processes.

A vast reservoir of knowledge about atomic energy has been built up, and large numbers of people have been trained to use it.

In addition to the 150,000 workers now engaged directly in the atomic energy program, of which less than 7,000 work for the government, there are thousands of others who have been trained in AEC-sponsored schools, at universities, in industrial laboratories, in hospitals, and by employment in activities related to atomic energy.

Substantial quantities of fissionable material—the explosive and the fuel of the atomic age—have been produced and stored.

This material has been produced for use in atomic weapons, but if it is never used that way—and I hope that it will never have to be—it can be put to work



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Renounces Letter Bearing Name as Communist Inspired  
Duped Into Signing Plea for  
A-Spies, Minister Says

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CLIPPING FROM THE  
N. Y. *Long Island Star*  
DATED *Dec 6, 1952*  
FORWARDED TO DIVISION

The Rev. Howard C. Shaffer Jr., of Bayside, whose signature appears on a "Letter from Six Queens Clergymen"—urging clemency for two convicted A-bomb spies—renounced the letter today as a fraud.

Mr. Shaffer, pastor of the Colonial Church of Bayside, said his signature was obtained by subterfuge and later affixed to the letter to make it appear the letter originated with him and the other clergymen.

Both Mr. Shaffer and the Rev. R. L. Ryan, pastor of the Bayside Community Church, said they have found the plea for Julius and Ethel Rosenberg, condemned spies awaiting execution in Sing Sing Prison, nothing about seeking the signatures of the other Queens clergymen, and indicated the appeal was a petition being circulated among community residents.

COPIES OF the letter were circulated in Queens accompanied by post cards to be returned to a postoffice box in Oakland Gardens, pledging support to the move.

Mr. Shaffer and Mr. Ryan said they were approached by two women, whom they did not know, who showed them a typewritten appeal to President Truman to her spare the lives of the Rosenbergs. There was no heading over the statement, Mr. Shaffer said, and no signatures.

The women said they were acting as individuals. They said

MR. SHAFER, who says he is opposed to the death sentence "on moral grounds," signed his name, Mr. Ryan, when he was visited by the women, also consented to sign after he was told the first Rosenberg trial was "unfair."

Both ministers were astounded when they saw the statement that was being distributed over their signatures.

In big type, it was headed "A Letter from Six Queens Clergy-

men," giving the distinct impression that the appeal originated with them.

Names and addresses of recipients of the statement were typed in under the heading.

AT THE bottom, the names of the six ministers were listed, with photoengraved copies of their signatures to the right of the names. With the exception of the recipient's name and address, the entire letter, including the signatures, was reproduced from an engraved plate.

The other clergymen whose signatures were on the letter are the Rev. Frederick Reustle, pastor of the Van Wyck Congregational Church in Jamaica; the Rev. Charles L. Carrington, pastor of Brooks Memorial Methodist Church, Jamaica, and Rabbi Max Felshin of Rego Park, spiritual leader of Radio City Synagogue in Manhattan.

Mr. Shaffer said he did not know any of the other clergymen although he had "heard of" Mr. Titus. He said flatly that his name was obtained "through deceit."

"I retract and renounce the letter," he said. Mr. Ryan made a similar statement.

Mrs. Shaffer said he has learned that one of the women who approached him is Mrs. Leon J. Roth of 36-14 217th street, Bayside. The other woman, he said, he has been able to identify only as a "Mrs. Siegel" and he has not been able to locate her.

He has asked Mrs. Roth for an explanation, he said, and has received "no satisfactory answer."

"A National Committee to Secure Justice for the Rosenberg Case," with headquarters in Manhattan, has stepped up a propaganda drive to save the Rosenbergs, who are scheduled to die Jan. 12.

Communist and Communist-front organizations in the United States and Europe have been making similar appeals and the case has figured prominently in Communist propaganda.

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## SPY CASE SURVEYED BY LIBERTIES UNION

### Group Holds Civil Rights Not Involved in Issue of Easing the Rosenberg Penalty

The American Civil Liberties Union announced yesterday that it believed no question of civil liberties was involved in the issue of commuting the death sentences of Julius and Ethel Rosenberg, convicted atom spies.

This decision was first reached by the union's national board of directors on Nov. 17 but no public statement was made then, to avoid influencing any official decisions on the matter, a spokesman for the union said.

However, on Nov. 24 the New Haven Civil Liberties Council, an affiliate of the union, sent to President Truman a letter asking that he commute the sentences. This action, the union declared yesterday, was taken without its knowledge or consent and has caused some organizations and individuals to misconstrue its position.

The union found no evidence that the death sentences were motivated by political or religious considerations.

#### Severity of Crime

As to contentions that the death penalty was unprecedented in time of peace, the union said that even if this were true, the sentences were "not so disproportionate to the severity of the crime as to indicate a denial of due process of law."

"It has been argued that the defendants received unequal treatment because other persons involved in the same conspiracy were given lighter sentences," the union continued. "But one of those other persons, Klaus Fuchs, did receive the maximum sentence possible

under the laws of his country; and all of them turned state's evidence, thus providing a reasonable basis for different sentences."

To the argument that the Rosenbergs might have received a lighter sentence if they had been tried at the time of the commission of the crime, when the United States and Russia were allies, the union countered that the conspiracy was found to have continued during the "beginning of the cold war."

To contentions that the defendants were entitled to special consideration because their children would be left orphans, the union declared that this was not a civil liberties issue and should be considered only in line with established practices in other commutation cases.

Finally, the union said, it had been argued that world opinion would consider the death sentences barbaric. This was a question of international policy, not of civil liberties, the group asserted.

Roger Angell, chairman of the union's board of directors, said it was important to present the union's position now because of the campaign being waged by the Communist party throughout the world to turn the Rosenberg case into anti-American propaganda.

The Rosenbergs are scheduled to be electrocuted Jan. 12 at Sing Sing.

On Nov. 29 Federal Judge Irving R. Kaufman, who sentenced them to die, asked to be relieved of hearing applications to invalidate their convictions.

Last Tuesday Federal Judge Sylvester Ryan reserved decision on their application for a full hearing on the argument to set aside the verdict and grant a new trial.

CLIPPING FROM THE  
N.Y. TIMES

NOTED DEC 8 1952  
FORWARDED BY N. Y. DIVISION

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## See Civil Liberties No Rosenberg Issue

Continued from Page 5

"3. It is argued that the defendants received unequal treatment because other persons involved in the same conspiracy were given lighter sentences. But one of those other persons, Klaus Fuchs, did receive the maximum sentence possible under the laws of his country; and all of them turned State's evidence, thus providing a reasonable basis for different sentences.

"4. It is argued that since the Rosenbergs might have been given a lighter sentence had they been tried at the time of their commission of the crime, when the United States and Russia were allies, civil liberties would be violated were the sentence carried out now. But the conspiracy was found to have continued during at least the beginning of the cold war, and the trial judge also had a reasonable basis for consideration of present world circumstances. In evaluating the seriousness of the results of the crime committed several years earlier.

"5. It is argued that the defendants are entitled to special consideration because their children would be left orphaned. The President should consider this factor in line with the established practice in other commutation cases, but it does not present a civil liberties issue.

"6. It is argued that world opinion will consider this sentence 'barbaric.' This is a question of international policy, not of civil liberties.

"Counsel for the Rosenbergs have raised new issues before the Federal District Court in New York City. As it does in all major cases, the ACLU will continue to observe the proceedings to determine if any civil liberties questions are presented which warrant its intervention.

"This statement should not be interpreted to mean that the National ACLU approves or disapproves the death sentences, limit ourselves to issues involving civil liberties, and we find no such issues in this case."

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## No Stand on Death Penalty:

# **Civil Liberties Are No Issue In Rosenberg Case, ACLU Says**

The American Civil Liberties Union declared today that "no civil liberties issue" was presented by the conviction and sentencing of Julius and Ethel Rosenberg.

In taking this stand the ACLU's directors said their statement was not intended to express approval or disapproval of the death sentence.

But they flatly rejected the charge that imposition of the death penalty was motivated by political or religious considerations. They also said:

"The sentence is not so disproportionate to the severity of the crime as to amount to a denial of due process."

The text of the ACLU statement follows:

"The National Board of Directors of the ACLU voted at its meeting on Nov. 17, 1952, that the question of commutation of the death sentences of Julius and Ethel Rosenberg, convicted for atomic espionage, raised no civil liberties issue. The Board agreed not to issue a public statement on its decision, to avoid the possibility of influencing the President in his consideration of commutation of the sentences.

"The New Haven Civil Liberties Council, an affiliate of the Union, released to the press on Nov. 21, 1952, a copy of a letter its executive committee had written to the President requesting commutation. This action was

taken without prior consultation with, or the authority of, the National ACLU. It has been misconstrued by some organizations and individuals, and possibly by the public, as representing the position of the National ACLU. To make our position explicitly clear, therefore, we present an explanation of the National Board's decision.

"The explanation is presented in the form of the contentions made by proponents of commutation of the death sentence, and the American Civil Liberties

Union's reasons for rejecting them as grounds for civil liberties action.

"1. It is argued that the sentence of death for espionage is unprecedented. Assuming this, the sentence is not so disproportionate to the severity of the crime as to amount to a denial of due process.

"2. It is argued that the sentence was motivated by political and/or religious considerations. There is no evidence to substantiate these contentions.

*Continued on Page 18*

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N.Y. POST

DATED DEC 8 1952

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# **Rosenberg Case Is Termed Free of Any Bias Issue**

WASHINGTON, Dec. 7 (UP)—The American Civil Liberties Union said today no issue of civil liberties is involved in the question of whether President Truman commutes the death sentence of convicted atom spies Julius and Ethel Rosenberg.

It said the President should, "in line with established practice" in other commutation cases, "consider" the fact that the Rosenbergs' children will be left orphans if they are executed. But it said its concern is only with civil liberties, and "we find no such issue in this case."

The Rosenbergs have lost an appeal to the Supreme Court and are to die by electrocution unless a new appeal is permitted or President Truman eases the sentence.

Communists all over the world have been soliciting signatures for petitions to lighten the penalty. One of the chief objections to the execution is the charge that the sentences were motivated by political and religious reasons.

The A. C. L. U. said "there is no evidence to substantiate these contentions." Its action was approved by its board of directors and announced by Patrick Murphy Malin, executive director.

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N.Y. JOURNAL JOURNAL

DEC 9 1950

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## Rosenbergs Busy Writing Letters

Julius and Ethel Rosenberg, doomed to the chair Jan. 18 as atom spies, spend much of their time in the Sing Sing death house writing letters to each other and to friends, it was reported yesterday. Considerable mail from strangers is arriving, but under prison rules it is impounded and will be delivered to them only if their death sentences are set aside or commuted.

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N.Y. NEWS

DEC 10 1952

FEDERAL BUREAU OF INVESTIGATION

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# Six Pastors Repudiate Rosenberg Petitions

By OLIVER PILAT

Several Queens religious leaders exhibited embarrassment today over use of their names on the front page of the Daily Worker as sponsoring a clemency appeal for Ethel and Julius Rosenberg, convicted atom spies.

Six of them signed what they considered a private letter on the case to be sent to other Queens clergymen. The letter received national and international distribution from the Communist-controlled Committee to Secure Justice in the Rosenberg case.

"QUEENS CLERICS URGE PLEAS TO SAVE THE ROSENBERGS" ran the Daily Worker headline.

The Rosenberg committee release stated it had been "informed" of the letter, without mentioning it had intrigued secretly to obtain signatures.

"... such an extreme penalty is completely alien to all the moral tenets of justice and fairness which have always governed our democracy," the statement declared.

"It looks as if we were fooled," commented the Rev. Charles L. Carrington, pastor of the Brooks Memorial Church of Jamaica. "We were not told any Communist group was involved, nor was

any mention made of publicity."

The Rev. Howard C. Shaffer Jr., pastor of the Colonial Church of Bayside, and the Rev. R. L. Ryan, pastor of the Bayside Community Church, said their signatures were "obtained by deceit."

The Rev. Mr. Shaffer repudiated the letter in a statement read to his congregation Sunday. He has appealed to the Queens Federation of Churches to publicize his repudiation. He plans to ask the Flushing Postmaster to discontinue use of a mail box at the Oakland Gardens Station where the letter of the six said replies and contributions might be sent.

The wording of the letter was not the work of the signers, it was asserted. The other signers were the Rev. Joseph H. Titus, Grace Episcopal Church, Jamaica; the Rev. Frederick Reustle, Van Wyck Congregational Church, Jamaica; and Rabbi Max Feilshin of Rego Park.

The signers knew just what they were doing," said Joseph

Brainin, chairman of the Rosenberg committee, who was previously associated with The Protestant, the Biro-Bidjan Committee and other Communist causes.

"I personally saw Carrington, Titus and Reustle, and spoke over the phone with Rabbi Feilshin. The others were visited by members of our local Queens group. They can't repudiate the letter now."

Mrs. Leon J. Roth, of 56-14 217th St., Bayside, who visited several signers of the letter, declined today to discuss her relation to Brainin's group. Another woman and a man accompanied her on the visits, she said. She refused to reveal their names.

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N.Y. POST

DEC 10 1952

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## Pastors Duped In A-Spy Appeal

Continued from Page 4

ganda attacks against the execution of the Rosenbergs.

Experts said the Reds are planning to highlight the case in an effort to counteract the anti-Jewish tenor of the recent purge trials in Czechoslovakia.

The State Dept. has denied permission for Americans to travel to Vienna to attend the Communist-sponsored meeting which begins Friday.

Officials said "several" passport applications had been received from citizens and that they had been denied on the grounds attendance would not be in the best interests of the U. S.

### Korea Vet Denied Passport

One passport application turned down, it was learned, was made by Dick Davis, a Korean war veteran from Bellingham, Wash.

The tipoff on the role the Rosenberg case will play was seen in recent "peace conferences" held by the Communists in Peking, Moscow and Berlin. The Daily Worker reported this week that 5,000 delegates at the East German meeting voted unanimously "to demand the liberation of the persecuted couple, who are victims of Washington's war hysteria."

The fate of the two spies might have received less attention at Vienna but for the harm caused the Communists by the Prague trial where 11 of 14 defendants were Jews. The wave of resentment against the anti-Jewish action surprised the Communists and they now are trying to counteract their own mistake, Americans said.

The Rosenberg case can hardly be twisted by the Reds into a "peace" move but they can point to it, officials said, to promote their charges that the U. S. is using terroristic methods against Jews, Negroes and other minorities.

# ATOM SPIES LOSE ANOTHER COURT RULING

Judge Denies Pleas  
Of Rosenberg Pair  
To Escape Execution

Julius and Ethel Rosenberg, the convicted man-wife team of atomic spies, lost another round today in their fight to beat the electric chair.

The pair is scheduled to be electrocuted at Sing Sing prison the week of Jan. 12.

Judge Sylvester J. Ryan in Manhattan Federal Court today denied a motion to stay the execution and another motion to set aside the death sentence.

Ryan also refused to set aside the 30-year sentence imposed on Morton Sobell, a co-defendant. All three were members of an international spy ring headed by British scientist, Dr. Klaus Fuchs.

Fuchs, along with his American counterpart, Harry Gold, is now serving a 14-year term for espionage. Gold was sentenced to 30 years.

Ryan handed down his rulings in a 26-page opinion.

"The petitioners are entitled to no relief," he concluded.

The court found "no substantial question of law" on behalf of the Rosenbergs and therefore, Ryan said, "a stay of execution of the judgment pronounced against them is denied."

The Rosenbergs and Sobell were convicted of espionage during wartime—treason—March 29, 1951. The man and wife have been in the death house at Sing Sing since.

Sobell has been removed to Alcatraz Prison.

Emanuel H. Bloch, counsel for the condemned couple, said he would continue to fight for the lives of the Rosenbergs. He told newsmen he would file new papers later today for consideration of the court.

"I certainly am going to appeal," he said. "People don't die for nothing."

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SEC. 3  
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# **Deny Stay To Atomic Spies**

Atom spies Julius and Ethel Rosenberg, condemned to die in Sing Sing's electric chair the week of Jan. 12, yesterday were refused a stay of execution by Federal Judge Ryan. At the same time, Judge Ryan denied a petition by their co-defendant, Morton Sobell, to set aside his 30-year prison sentence on constitutional grounds.

The Rosenbergs, now in the death house, were convicted with Sobell on March 29, 1951, of conspiring to give atomic secrets to Russia through Dr. Klaus Fuchs, the atomic scientist now serving a 14-year term in England for espionage.

In his opinion, Judge Ryan said he could find "no substantial question of law raised" by Emanuel R. Bloch, counsel for the couple.

"The application for a stay of execution of the judgment pronounced against them is denied," he added tersely.

The judge said he could find no fact in the contention that pre-trial publicity was "prejudicial" to the defendants or that the government used "perjured testimony."

The Rosenbergs were excoriated as having caused the deaths

of thousands of American soldiers in Korea because Russia obtained secrets of the A-bomb several years before her scientists could have perfected it.

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# Rosenbergs Lose Plea To Stall Off Execution

Julius and Ethel Rosenberg, of Jan. 12, and also denied a motion to have the verdict set aside. The judge also denied an application by Morton Sobell, a co-defendant in the atom spy case, to have his 30-year prison sentence set aside on constitutional grounds. In a 26-page opinion, Judge Ryan said he could find "no substantial question of law raised by these proceedings."

Judge Sylvester J. Ryan refused to postpone execution of the death sentence, scheduled for the week

The judge also denied an application by Morton Sobell, a co-defendant in the atom spy case, to have his 30-year prison sentence set aside on constitutional grounds. In a 26-page opinion, Judge Ryan said he could find "no substantial question of law raised by these proceedings."

The Rosenbergs, now in the death house at Sing Sing, were convicted with Sobell on March 29, 1951 of wartime espionage for conspiring with a former Soviet vice consul and others to send atom secrets to Russia between 1944 and 1950.

Assistant U.S. Attorney James B. Kilsheimer, in opposing the Rosenbergs' applications, said that they were "frivolous and sought to perpetuate the myth of the Rosenbergs' innocence."

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The pair is scheduled to be electrocuted at Sing Sing prison the week of Jan. 12.

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Ryan also refused to set aside the 30-year sentence imposed on Morton Sobell, a co-defendant. All three were members of an international spy ring headed by British scientist, Dr. Klaus Fuchs.

Fuchs, along with his American counterpart, Harry Gold, is now serving a 14-year term for espionage. Gold was sentenced to 30 years.

Ryan handed down his rulings in a 26-page opinion.

"The petitioners are entitled to no relief," he concluded.

The court found "no substantial question of law" on behalf of the Rosenbergs and therefore, Ryan said, "a stay of execution of the judgment pronounced against them is denied."

The Rosenbergs and Sobell were convicted of espionage during wartime—treason—March 29, 1951. The man and wife have been in the death house at Sing Sing since.

Sobell has been removed to Alcatraz Prison.

Emanuel H. Bloch, counsel for the condemned couple, said he would continue to fight for the lives of the Rosenbergs. He told newsmen he would file new papers later today for consideration of the court.

"I certainly am going to appeal," he said. "People don't die so easy."

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# Rosenbergs Denied Stay Of Executions

Federal Judge Ryan today refused to stay the executions of convicted atom spies Julius and Ethel Rosenberg. They have been sentenced to die in the Sing Sing electric chair in the week of Jan. 12.

At the same time he denied a motion of their co-defendant, Morton Sobell, to have his 30-year sentence set aside on constitutional grounds. Sobell is in Alcatraz.

Ryan said that because he could find "no substantial question of law raised by these proceedings, the application made on behalf of the petitioners Rosenberg for a stay of execution of the judgment pronounced against them is denied."

## Charged Press Prejudice

In applying to have the convictions set aside, Emanuel H. Bloch, attorney for the Rosenbergs, said pre-trial newspaper publicity was "prejudicial" to the defendants and that the government used "perjured testimony." Further, said Bloch, the information passed to the Soviets was "public knowledge and not secret."

"The trial record reveals a defense intelligently conducted by able counsel of petitioners' own choice and selection," Ryan's opinion said. "The verdict of the jury has now been challenged, although when it was returned the attorney for petitioners Rosenberg stated that from the length of time the jury had taken in their deliberations, as well as from the questions they had asked during the course of their

deliberations, he was satisfied that the jury had examined the evidence very carefully."

Ryan said that since the petitioners were sentenced they have had the benefit of appeal to the Court of Appeals, a petition for rehearing of that appeal, a petition to the Supreme Court for a writ of certiorari and a further petition to the Supreme Court seeking a rehearing.

Ryan said a reading of newspaper articles submitted by the Rosenbergs revealed "nothing of an unusual or inflammatory character." Said Ryan:

## "A Fair Response"

"The articles seem but a fair response to a legitimate public interest in a matter of vital concern to all—the Atom Bomb and atomic energy and the hope for its employment for the benefit and not the destruction of mankind."

Ryan substituted for Federal Judge Irving Kaufman in hearing the applications. Kaufman asked to be relieved after counsel for the Rosenbergs charged him with "bias and prejudice" while sentencing them. Kaufman denied the charge but agreed to step aside.

Bloch and Harold N. Meyer, attorney for Sobell, said they would appear before the court again later today to submit additional papers.

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## Rosenberg Case:

# A-Spies Denied Execution Stay Court Also Rules Against Co-Defendant

Federal Judge Ryan today denied a motion to stay electrocution of atomic bomb spies Julius and Ethel Rosenberg.

He also denied a motion to set aside their conviction.

Judge Ryan likewise denied an application to set aside on constitutional grounds the 30-year prison sentence of Morton Sobell, co-defendant of the Rosenbergs. He is now in Alcatraz Prison, Calif.

Attorneys for the three convicted spies immediately announced they would file "additional papers" with the court later in the day.

### WEEK OF JAN. 12.

The Rosenbergs are in the death house at Sing Sing Prison awaiting execution the week of Jan. 12.

The Rosenbergs were convicted with Sobell on March 29, 1951, of conspiring with a former Soviet Vice Consul and other Reds to transmit secrets of the atomic bomb to Communist Russia.

A-bomb experts have said the conspiracy enabled Soviet Russia to manufacture the dread nuclear weapon years before the Reds might have made it without the information from this country.

Judge Ryan, in a 28-page opinion on the motions in behalf of the Rosenbergs, found "no substantial question of law raised by these proceedings."

"The application made on behalf of the petitioners Rosenberg for a stay of execution of the judgment pronounced against them is denied."

With those words the couple, parents of two small children, lost another round in a long legal battle against walking that "last mile" as Sing Sing for their wartime espionage.

Their attorney, Emanuel H. Bloch, had claimed that pre-trial publicity was "prejudicial" to the defendants, that the government used "perjured testimony," and the information allegedly passed to the Soviets was "public knowledge and not secret."

However, Judge Ryan said he could find no relevant or material issue of fact raised by the petitions.

### CITES FREE PRESS.

The jurist pointed out the petitioners have had the benefit of appeals up to the highest court. As for the publicity attending their trial the judge declared in his opinion:

"We enjoy a free press.

"Neither the policies nor writing of the press may be censored or dictated by the State or Government agencies."

Ryan quoted from a U. S. Court of Appeals decision in another case, which said "jurors cannot be treated as unable to withstand any effect of newspaper publication; Indeed such a ruling would make it practically impossible to conduct trials in metropolitan centers and would treat the average skeptical juror as a helpless person."

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# Six Pastors Repudiate Rosenberg Petitions

By OLIVER PILAT

Several Queens religious leaders exhibited embarrassment today over use of their names on the front page of the Daily Worker as sponsoring a clemency appeal for Ethel and Julius Rosenberg, convicted atom spies.

"Six of them signed what they considered a private letter on the case, to be sent to other Queens clergymen. The letter received national and international distribution from the Communist-controlled Committee to Secure Justice in the Rosenberg case.

"QUEENS CLERICS URGE PLEAS TO SAVE THE ROSENBERGS" ran the Daily Worker headline.

The Rosenberg committee release stated it had been "informed" of the letter, without mentioning it had intrigued secretly to obtain signatures.

"... such an extreme penalty is completely alien to all the moral tenets of justice and fairness which have always governed our democracy," the statement declared.

"It looks as if we were fooled," commented the Rev. Charles L. Carrington, pastor of the Brooks Memorial Church of Jamaica. "We were not told any Communist group was involved, nor was any mention made of publicity."

The Rev. Howard C. Shaffer Jr., pastor of the Colonial Church of Bayside, and the Rev. R. L. Ryan, pastor of the Bayside Community Church, said their signatures were "obtained by deceit."

The Rev. Mr. Shaffer repudiated the letter in a statement read to his congregation Sunday. He has appealed to the Queens Federation of Churches to publicize his repudiation. He plans to ask the Flushing Postmaster to discontinue use of a mail box at the Oakland Gardens Station where the letter of the six said replies and contributions might be sent.

ing, Moscow and Berlin. The Daily Worker reported this week that 5,000 delegates at the East German meeting voted unanimously "to demand the liberation of the persecuted couple, who are victims of Washington's war hysteria."

The wording of the letter was not the work of the signers. It was asserted. The other signers were the Rev. Joseph H. Titus, Grace Episcopal Church, Jamaica; the Rev. Frederick Reustle, Van Wyck Congregational Church, Jamaica; and Rabbi Max Feishin of Rego Park.

The signers knew just what they were doing," said Joseph Brainin, chairman of the Rosenberg committee, who was previously associated with The Protestant, the Biro-Bidjan Committee and other Communist causes.

"I personally saw Carrington, Titus and Reustle, and spoke over the phone with Rabbi Feishin. The others were visited by members of our local Queens group. They can't repudiate the letter now."

Mrs. Leon J. Roth, of 56-14 217th St., Bayside, who visited several signers of the letter, declined today to discuss her relation to Brainin's group. Another woman and a man accompanied her on the visits, she said. She refused to reveal their names.

## Vienna 'Peace' Session To Star Rosenbergs

Washington, Dec. 10 (UP)—State Dept. officials predicted today that the Communists will use the forthcoming Vienna "peace conference" to whip up propaganda attacks against the execution of the Rosenbergs.

Experts said the Reds are planning to highlight the case in an effort to counteract the anti-Jewish tenor of the recent purge trials in Czechoslovakia.

The State Dept. has denied permission for Americans to travel to Vienna to attend the Communist-sponsored meeting which begins Friday.

One passport application turned down, it was learned, was made by Dick Davis, a Korean war veteran from Bellingham, Wash.

The tipoff on the role the Rosenberg case will play was seen in recent "peace conferences" held by the Communists in Peip

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TRANSFER SHEET  
CHARGE-OUT SLIP

FILE	65-15318	Class	Number	Last Serial	Date
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Serials	transferred to 65-15318-E-92, 93				
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Employees:					
RECHARGE					Date
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PROPERTY CLERK  
TRAINING UNIT

# Atom Spies Lose Plea For Stay of Execution

Atom spies Julius and Ethel Rosenberg, condemned to die in Sing Sing's electric chair the week of Jan. 12, yesterday were refused a stay of execution by Federal Judge Ryan. At the same time, Judge Ryan denied a petition by their co-defendant, Morton Sobell, to set aside his 30-year prison sentence on constitutional grounds.

The Rosenbergs, now in the death house, were convicted with Sobell on March 29, 1951, of conspiring to give atomic secrets to Russia through Dr. Klaus Fuchs.

In his opinion, Judge Ryan said he could find "no substantial question of law raised" by Emanuel R. Bloch, counsel for the couple.

"The application for a stay of execution of the judgment pronounced against them is denied," he added tersely.

The judge said he could find no fact in the contention that pre-trial publicity was "prejudicial" to the defendants or that the government used "perjured testimony."

The Rosenbergs were excoriated as having caused the deaths of thousands of American soldiers in Korea because Russia obtained secrets of the A-bomb several years before her scientists could have perfected it.

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## 2 A-Spies Lose on Execution Stay

A motion to stay the Sing Sing executions of atom spies Julius and Ethel Rosenberg, slated to die in the chair the week of Jan. 12, was denied yesterday by Federal Judge Sylvester J. Ryan.

The court also turned down an application to set aside the Rosenbergs' conviction, and the 30-year term of a co-defendant, Morton

Sobell. The latter had based his petition on constitutional grounds.

### New Appeals Filed.

Appeals were filed immediately in behalf of the trio by attorney Emanuel H. Bloch. He announced that he will appear before the Court of Appeals today—to ask for

a stay of execution pending argument of the appeal.

In his petition Bloch claimed that pre-trial publicity had been prejudicial to the defendants, that the Government used "perjured testimony," and that information purportedly passed on to Russia was "public knowledge and not secret."

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# Court Refuses Execution Stay To Rosenbergs

Also Denies Motion to Set Aside Convictions; They File Notice of Appeal

Judge Sylvester Ryan refused yesterday in United States District Court to set aside the espionage convictions of Julius and Ethel Rosenberg or to stay their execution, scheduled for the week of Jan. 12 in Sing Sing Prison.

After these two motions were denied, Emanuel Bloch, counsel for the war-time atomic spies for Russia, said he would ask the United States Court of Appeals today to delay the execution pending appeal of Judge Ryan's refusal to upset the convictions. He immediately filed notice of appeal yesterday.

At the same time, Judge Ryan also turned down an application on behalf of Morton Sobell to have his thirty-year sentence thrown out. He was convicted with the Rosenbergs and is now in Alcatraz. Sobell was represented by Harold N. Meyer.

Convicted in March, 1951

The Rosenbergs and Sobell were convicted on March 29, 1951, of conspiring with a former Soviet vice-consul and others to transmit atomic secrets to the Soviet Union between 1944 and 1950. They were found guilty by a jury at a trial conducted by Judge Irving R. Kaufman. The United States Supreme Court twice refused to review the cases.

In a twenty-six-page decision, Judge Ryan wrote that the Rosenbergs raised no substantial question of law. A major point of the Rosenbergs was that they were the victims of prejudicial pre-trial and trial publicity. To that, Judge Ryan said that the articles submitted to him revealed "nothing of an unusual or inflammatory character."

Calls Articles Fair

"The articles," Judge Ryan said, "seem but a fair response to a legitimate public interest in a matter of vital concern to all—the atom bomb and atomic energy and the hope for its employment for the benefit and not the destruction of mankind."

Judge Ryan noted that the petitions were filed twenty months after the convictions were returned, following a trial which defense counsel, he said, had previously termed as conducted with dignity and that they (defense counsel) admitted had afforded them "every privilege that a lawyer should expect in a criminal case."

The petitions were opposed by Assistant United States Attorney James Kilshelmer 3d.

Sees Propaganda Attacks

WASHINGTON, Dec. 10 (UP).—The Communists probably will use the approaching Vienna "peace conference" to stir up propaganda attacks against the scheduled executions of convicted atomic spies Ethel and Julius Rosenberg, State Department officials said today.

These experts said the Reds hope to center world attention on the case of the two convicted Americans in an effort to counteract the anti-Semitic tenor of the recent Communist purge trials in Prague.

The husband and wife were convicted of membership in a Red spy ring headed by British scientist Dr. Klaus Fuchs.

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# Court Refuses Execution Stay To Rosenbergs

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65-15348-766

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# Atom Spies Lose Plea For Stay of Execution

Atom spies Julius and Ethel Rosenberg, condemned to die in Sing Sing's electric chair the week of Jan. 12, yesterday were refused a stay of execution by Federal Judge Ryan. At the same time, Judge Ryan denied a petition by their co-defendant, Morton Sobell, to set aside his 30-year prison sentence on constitutional grounds.

The Rosenbergs, now in the death house, were convicted with Sobell on March 29, 1951, of conspiring to give atomic secrets to Russia through Dr. Klaus Fuchs.

In his opinion, Judge Ryan said he could find "no substantial question of law raised" by Emanuel R. Bloch, counsel for the couple.

"The application for a stay of execution of the judgment pronounced against them is denied," he added tersely.

The judge said he could find no fact in the contention that pre-trial publicity was "prejudicial" to the defendants or that the government used "perjured testimony."

The Rosenbergs were excoriated as having caused the deaths of thousands of American soldiers in Korea because Russia obtained secrets of the A-bomb several years before her scientists could have perfected it.

CLIPPING FROM THE  
N.Y. MIRROR

DATE: DEC 11 1952  
FORWARDED BY: ST. C. Y. DIVISION

65-1538-Abbott

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## 2 A-Spies Lose on Execution Stay

A motion to stay the Sing Sing executions of atom spies Julius and Ethel Rosenberg, slated to die in the chair the week of Jan. 12, was denied yesterday by Federal Judge Sylvester J. Ryan.

The court also turned down an application to set aside the Rosenbergs' conviction, and the 30-year term of a co-defendant, Morton

Solomon. The latter had based his petition on constitutional grounds.

### New Appeals Filed.

Appeals were filed immediately on behalf of the trio by attorney Emanuel H. Bloch. He announced that he will appear before the Court of Appeals today—to ask for

a stay of execution pending argument of the appeal.

In his petition Bloch claimed that pre-trial publicity had been prejudicial to the defendants, that the Government used "perjured testimony," and that information purportedly passed on to Russia was "public knowledge and not secret."

CLIPPING FROM THE  
N.Y. NEWS

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Dear Sir:

It has been brought to my attention that the citizenry of this community is being bombarded by a flood of mail post-marked "Island, Park, N.Y.", asking for contributions to finance a propaganda campaign which seeks to coerce the President of the United States into granting executive clemency and a stay of the execution of two notorious convicted traitors.

It is pointed out that these traitors have been convicted after a lengthy trial in which all the safeguards granted by our magnificent constitution have protected their every right as citizens of the United States. This conviction has been affirmed by every Appellate Court in the land having jurisdiction thereof including the Supreme Court of the United States.

The campaign, of which these letters is a part, seeks to circumvent our truly democratic process of law, by attempting to influence our public officials by pressure methods. This is un-American to say the very least. It is a tactic characteristic of the Communist source from which it undoubtedly emanates.

I call upon every veteran of the United States Forces residing in this community, to do his utmost to aid the authorities in tracking down the local source of these letters.

We, who have sacrificed so much to preserve our way of life, cannot stand by idly while a scurrilous attempt such as this is made to wreck the very basis of our democracy.

Yours very truly,  
 Foster E. Vogel  
 Commander  
 Victor Murtha Post-  
 American Legion

CLIPPING FROM THE

*Long Beach Life*

Dec 11, 1952  
 FORWARDED BY N. Y. DIVISION

65-15348-A-660-D

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# Hearing Set Dec. 23 On Rosenberg Appeal

The U.S. Court of Appeals today scheduled a hearing for Dec. 23 on an application to delay the execution of atom spies Julius and Ethel Rosenberg.

At the same time, the court will hear arguments to set aside the 30-year sentence of Morton Sobell, convicted with the Rosenbergs. The Rosenbergs are scheduled to die in the electric chair the week of Jan. 12.

Meanwhile, at Sing Sing Prison, where the Rosenbergs are confined, Warden Denno said a mass delegation to visit the Rosenbergs Sunday, Dec. 21, would not get inside the prison. The planned demonstration, sponsored by the pro-Communist Civil Rights Congress, was postponed from this Sunday to the 21st, an announcement in the Daily Worker, said.

CLIPPING FROM THE  
 N.Y. TIMES

DEC 12 1952  
 FORWARDED BY DIVISION

65-1534-H-661

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## COURT GETS APPEAL FOR ROSENBERG STAY

An application to stay the execution of Julius and Ethel Rosenberg, condemned for atom spying for the Soviet, was referred yesterday to the three-judge panel in the United States Court of Appeals that originally confirmed the convictions and later declined to review its findings. The Rosenbergs are scheduled to die in the electric chair the week of Jan. 12.

The bench, composed of Judges Thomas W. Swan, Jerome N. Frank and Harrie B. Chase, also will hear a motion to set aside the thirty-year sentence of Morton Sobell, convicted with the Rosenbergs of wartime espionage.

Special to THE NEW YORK TIMES.

OSSINING, N. Y., Dec. 11—Warden Wilfred E. Denno said today that a mass delegation to visit the Rosenbergs next Sunday would not get inside Sing Sing Prison.

An advertisement announcing that a "clemency train" would leave Grand Central Terminal in New York Sunday morning for Ossining appeared today in The Daily Worker, Communist party newspaper. The advertisement bore the name of the Civil Rights Congress, a group cited by the Attorney General as subversive.

Warden Denno pointed out that he had no jurisdiction outside the prison walls. The Ossining police said they would not interfere with any group as long as it was orderly.

65-15348-H-662

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# Sing Sing Protest For Rosenbergs Put Off to Dec. 21

Plans for a mass demonstration at Sing Sing Prison to protest the scheduled execution of Julius and Ethel Rosenberg have been postponed until Sunday, Dec. 21, the Civil Rights Congress announced today.

At Sing Sing, where the Rosenbergs are slated to be executed in the week of Jan. 11, Warden Wilfred Denno said any such delegation would not be permitted to enter the prison. Ossining police said there would be no action against the group unless it was disorderly or interfered with traffic.

An advertisement announcing the "Clemency Train" appeared yesterday in the Daily Worker. It urged readers to "Visit Ethel and Julius Rosenberg" and to "Join the holiday season delegation."

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 N.Y. BROOKLYN EAGLE  
 DEC 12 1952

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TRANSFER SHEET  
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Serials	<u>663A</u>		
Serials	<u>transferred to</u>		<u>Date</u>
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# Rosenberg Sons Visit Atom Spies But Think Sing Sing 'A Hospital'

Sing Sing Prison, Dec. 15 (UP) —A prison guard said today that the two young boys occasionally seen playing in the corridors believe Sing Sing Prison is a hospital.

Ethel Rosenberg, doomed to die in the electric chair Jan. 15 for stealing atomic secrets and giving them to Russia during World War II.

The guard said the Rosenberg children—Michael, 5, and Robert, 9—think their parents are receiving medical treatment here. They have not been told they will become orphans if the Rosenbergs fail to win an appeal or receive Presidential clemency.

Relatives of the Rosenbergs bring the children to see their parents, he said.

CHAPLIN 1000 TUE  
N.Y. POST

DEC 15 1952  
FORWARDED TO H. T. DIVISION

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## Court Studies Plea To Save Rosenbergs

The U. S. Court of Appeals today was studying an application for an order to stay the execution of wartime atom spies Julius and Ethel Rosenberg, scheduled to die in the electric chair the week of Jan. 12.

The same three-judge panel, consisting of Judges Swan, Frank and Chase, originally confirmed the convictions and later declined to review its findings. Meanwhile, at Sing Sing Prison, where the Rosenbergs are confined, Warden Denno said a mass delegation to visit the Rosenbergs Sunday would not get inside the prison. An ad, announcing the Sunday departure from Grand Central Terminal of a "clemency train," appeared today in the Daily Worker, Communist Party organ. Ossining police said they would not interfere with any group as long as it was for a mass delegation to visit the derly."

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# **New Rosenberg Appeal Goes to Same 3 Judges**

A hearing on an application for an order to stay the executions of war-time atom spies Julius and Ethel Rosenberg was referred yesterday to the same three-judge panel in the United States Court of Appeals which originally confirmed their conviction and later declined to review its finding.

The request for the hearing was made by counsel for the Rosenbergs before Judges Augustus N. Hand, Jerome Frank and Charles E. Clark. Judge Hand said he was referring the matter to the panel of Judges Thomas W. Swan, Harrie B. Chase and Judge Frank "because they should know what is newly discovered evidence and what is not."

Meanwhile, Warden W. E. Denno of Sing Sing Prison, where the Rosenbergs are scheduled to die in the electric chair during the week of Jan. 11, said a mass delegation expected to attempt to visit the Rosenbergs on Sunday will not be admitted to the prison.

An advertisement announcing a "clemency train" to leave Grand Central Terminal for Ossining Sunday morning appeared yesterday in "The Daily Worker," Communist party newspaper. "Visit Ethel and Julius Rosenberg!" the ad said. "Join the holiday season delegation."

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# **COURT GETS APPEAL FOR ROSENBERG STAY**

An application to stay the execution of Julius and Ethel Rosenberg, condemned for atom spying for the Soviet, was referred yesterday to the three-judge panel in the United States Court of Appeals that originally confirmed the convictions and later declined to review its findings. The Rosenbergs are scheduled to die in the electric chair the week of Jan. 12.

The bench, composed of Judges Thomas W. Swan, Jerome N. Frank and Harrie B. Chase, also will hear a motion to set aside the thirty-year sentence of Morton Sobell, convicted with the Rosenbergs of wartime espionage.

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## Hearing Set On Rosenberg Plea

Action on the stay of execution for the condemned atom spies, Julius and Ethel Rosenberg, was delayed yesterday by Chief Judge Thomas W. Swan, of the U. S. Court of Appeals, pending a hearing on their motion to set aside their death sentence.

The Rosenbergs are scheduled to die in the electric chair in Sing Sing the week of Jan. 12.

Judge Swan scheduled 10:30 a. m., Dec. 23, for the hearing before the same appeals tribunal that originally affirmed the conviction and later declined to review its findings.

CLIPPING FROM THE

N.Y. TIMES

DEC 18 1947

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Serials	6704		
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# The Rosenberg Case: 'Hate-America' Weapon

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CLIPPING FROM THE  
*The New Leader*  
 N. Y.  
 DATED *Dec 22, 1952*  
 FORWARDED BY N. Y. DIVISION



*By Lucy S. Dawidowicz*

**C**OMMUNIST ORGANIZATIONS all over the world are directing protests to President Truman on behalf of Ethel and Julius Rosenberg, convicted on March 30, 1951, and sentenced to death for participating in an espionage ring that passed atomic secrets to Russia. After the failure of several appeals, their execution has been scheduled for the week of January 12, 1953.

The Communist press has reported the receipt of protests from the All-China Federation of Labor, from Pietro Nenni ("speaking for millions of democratic Italians"), from Jacques Duclos and *L'Humanité*, from Communists and fellow-travelers in England, Belgium, Trieste and Japan, and even from 5,000 East Germans who voted "to demand the liberation of the persecuted couple, who are victims of Washington's war hysteria." The Vienna Peace Congress last week featured the Rosenberg case.

The Rosenberg protests are part of international Communism's anti-American campaign. The Rosenberg case has superseded the Willie McGee case in the Communist war against America: First it was the Negroes, now the Jews. This so-called "defense" of the Rosenbergs serves only one purpose—to intensify the "hate America" campaign throughout the world.

When the National Committee to

Secure Justice in the Rosenberg Case began operating in New York a year ago, observers could not fathom how its campaign, so grounded on untruth and unreality, could work here. It is now apparent that this local committee was used only as an operational base for the international anti-American campaign. That the purpose of the campaign is to blackmail America, rather than to defend the Rosenbergs, is obvious from a reading of the Communist slogans about the spies.

The Communists demand the Rosenberg's "liberation." They insist on "equal justice" for their "innocent" clients. They charge that anti-Semitism and race prejudice dominated the court proceedings. The trial is a "judicial outrage," an "uncivilized action" and a "blot on American justice."

#### WHAT ARE THE FACTS?

The irrelevance of such slogans to the facts is incredible. The fact that the Rosenbergs received a fair trial was confirmed by the Supreme Court and by the American Civil Liberties Union, an organization that has been quite frank on many other occasions in criticizing U.S. courts. The evidence presented at the trial was so cumulative that additional testimony by more prosecution witnesses was rendered superfluous. The defendants were proven guilty beyond the slightest doubt of being spies for Soviet Russia. And, finally, the Rosenbergs' legal counsel has never pressed any of the fantastic charges of the Rosenberg propaganda apparatus.

The proper description of the Rosenberg campaign is blackmail. The Rosenbergs are hostages for whom the Communists have little concern. Knowing that the United States will not submit to such blackmail, the operators of the campaign are cold-bloodedly sure of their success: hate for America and death for the Rosenbergs, who know a great deal about Soviet espionage which they have thus far withheld.

Many arguments have been advanced by non-Communists here as to why the death sentence should be commuted. They say: Klaus Fuchs was sentenced to a mere 14 years; the espionage was committed for a country which was then our ally; death is too severe. However, Fuchs received the maximum sentence under English law and, in the end, cooperated with the British Government. Further, our law does not differentiate between espionage for an ally or for an enemy, and the Rosenbergs continued their spying into the cold war. Finally, only the Rosenbergs and their friend Morton Sobell, among the spies who were caught, refused to assist in uncovering further espionage rings. And let us remember that the purpose of a death penalty is to serve as a deterrent to the future commission of a serious crime.

Unless one is a principled opponent of capital punishment (for Goering and Slansky and Rosenberg), there seems to be only one valid reason why anti-Communists should have any interest in commutation of the Rosenbergs' death sentence. Once the Rosenbergs are dead, their knowledge of the several Soviet espionage rings in this country dies with them. Although there is no reason to be sanguine about either of these two hard-core Communists' breaking down and talking, so long as they live, such a thousand-to-one chance exists. Whether a demonstration of Communist propaganda power in achieving commutation would improve that chance is another matter.

LUCY S. DAWIDOWICZ, an expert on Communist appeals to minorities, has contributed to *Commentary*, the *Menorah Journal* and other magazines.



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# **ROSENBERGS RENEW PLEA FOR REVERSAL**

The United States Court of Appeals reserved decision yesterday on a move by Ethel and Julius Rosenberg and Morton Sobell to reverse a lower court's refusal to set aside their convictions for transmitting atomic secrets to the Soviet Union.

Counsel for the Rosenbergs, who are scheduled to die in the electric chair in Sing Sing the week of Jan. 11, and Sobell, sentenced to thirty years, argued that they were "deprived of the essence of a fair trial because of adverse pre-trial publicity and the use of perjured testimony by the Government."

James B. Kilsheimer 34, assistant United States Attorney, replied that the defense had never raised the issue of adverse publicity before or during the trial.

105-15348-A-671

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# Appeals Court Weighs Ruling On Atom Spies

The U. S. Court of Appeals yesterday reserved decision on a motion by convicted atom spies Julius and Ethel Rosenberg to reverse a lower court's refusal to set aside



Julius Rosenberg      Ethel Rosenberg  
*Still fighting to live.*

their death sentence. They are slated to die in the electric chair at Sing Sing the week of Jan. 12. Charging that adverse pre-trial publicity was given to their case, that the Government used perjured testimony and that the information the Rosenbergs passed on to Russia was not secret but public knowledge, defense attorney Emanuel Block argued the motion before Chief Judge Thomas W. Swan and Judges Harrie B. Chase and Jerome N. Frank.

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*Carney*

## TO PLEAD FOR ROSENBERGS

Counsel for Spies Will Apply for  
Judicial Clemency Tuesday

Julius and Ethel Rosenberg, scheduled to die in the electric chair the week of Jan. 12 for transmitting atomic bomb secrets to the Soviet Union, will apply Tuesday to Federal Judge Irving T. Kaufman for judicial clemency. Emanuel H. Bloch, defense counsel, said that if the application is denied he would appeal to President Truman for executive clemency. Mr. Bloch said that his application on Tuesday would include "a review of all my arguments made in the past."

James B. Kilsheimer 3d, assistant United States Attorney, said he would oppose the plea.

Mr. Bloch said that Rosenberg's family—his mother, Mrs. Sophie Rosenberg, two married sisters and a brother—spent fifteen "emotional" minutes in Judge Kaufman's chambers Tuesday pleading the couple's innocence. The attorney said the meeting ended with Judge Kaufman indicating that if the Rosenbergs wanted to help themselves they could do so by "working."

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12-25-52

64-15346-A 673

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J. C. Harrington

## The Lyons Den

**By Leonard Lyons**



**THE POET:** Dr. Edith Sitwell lunched at the Pavillon yesterday with Maj. Gen. William E. Hall, his wife, Marguerite Higgins, and David Bouverie. They invited me to join their table where, in behalf of Milton Berle, I opened the negotiations for Miss Sitwell to appear on his TV program. There was mention that she, of course, could get a lot of money for it. "Unlike most poets," Miss Sitwell replied, "I am interested in a lot of money."

The idea of Edith Sitwell appearing on the Berle show seemed to shatter Mr. Bouverie. He warned her that it would be the same as if she were to appear with Flanagan & Allen—mentioning the British comics whose burlesque routines are like Abbott & Costello. "I think I should enjoy appearing with Flanagan & Allen," said Miss Sitwell, who then gave me the message for Milton Berle: "Tell him I'll do it."

**THE ACTOR:** Sir Cedric Hardwicke appeared on the "Omni-bus" telecast Sunday, in a scene with Francis Sullivan. One magazine, in announcing the telecast, referred to Sullivan as Sir Francis Sullivan. He called Hardwicke, and said: "You see, Sir Cedric, association with you is ennobling" . . . Hardwicke, incidentally, is returning to Hollywood today, ready to resume his film career. "I can play any role," he said, "except those played by Victor Mature."

Billy Rose takes off for Europe on Friday . . . The Washington opening of Jean-Louis Barrault, at the Shubert Theater, almost didn't come off because no grand piano could be found at that late hour. The piano finally used was supplied by Walter Lippmann. . . Alicia Markova will rejoin the Sadler's Wells ballet, and remain through the spring and Coronation Week . . . Elizabeth Threatt, highly publicized as Kirk Douglas' leading lady in "The Big Sky," has resumed her modeling career in N. Y. . . Joe E. Lewis entered ~~Irakness~~ ~~Pavilion~~ yesterday because of his ~~ulcers~~ ~~his~~ diabetes and his horses.

**THE REBATE:** Whenever mechanical difficulties interrupt a broadcast or telecast, the network makes a refund to the sponsor. This custom came about through accident, and impulse. It was started by NBC's Deac Aylesworth, who used to telephone each sponsor after the program was over, and tell him what a fine program it had been. He did this whether he had seen the program or not. And one night he phoned Alford Sloan of General Motors.

Aylesworth told him what a fine program of good music had just been sponsored by Sloan. "You must have been listening to some other program," Sloan told him, "because half-way through he show something broke down and the rest of it wasn't heard" . . . "I know, I know," Aylesworth stammered, then quickly added: "That's just why I'm calling. You see, I happened to be in the studio and heard the full program. The music was so good I felt that we should pay for it, too." And NBC set the precedent and made the refund to General Motors.

**THE NAME:** The staff at the Willkie Memorial Building of Freedom House often has had occasion to correct people who insist upon spelling Willkie with only one "L." Last week the executive director, George Field, thought he found occasion for such correction again—in a Christmas card addressed to the "Willkie" Memorial Building. He was about to dictate the standard letter of correction, until he learned that the card came from Mr. & Mrs. Phillip Willkie.

The next legal move by the Rosenbergs, the doomed Atom Bomb spies, will be an application for a reduction of their death sentence . . . Nancy Valentine, the former Maharanee of Cooch-Behar, has just acquired three Hollywood restaurants as publicity clients . . . The Riviera will reopen for the one night, New Year's Eve . . . Ethel Smith, who has been doing organ recitals throughout the world, said that when she was in India she saw the two beboppers and went with them on safari. One of them sighted a tiger and said: "Man, dig that crazy convict." The other saw an alligator and said: "What a crazy wallet." They turned to Miss Smith, when they spotted a rhinoceros, and shouted: "Dig that crazy hitchhiker."

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# Appeals Court Weighs Ruling On Atom Spies

The U. S. Court of Appeals yesterday reserved decision on a motion by convicted atom spies Julius and Ethel Rosenberg to reverse a lower court's refusal to set aside



Julius Rosenberg      Ethel Rosenberg  
*Still fighting to live.*

their death sentence. They are slated to die in the electric chair at Sing Sing the week of Jan. 12.

Charging that adverse pre-trial publicity was given to their case, that the Government used perjured testimony and that the information the Rosenbergs passed on to Russia was not secret but public knowledge, defense attorney Emanuel Bloch argued the motion before Chief Judge Thomas W. Swan and Judges Harrie B. Chase and Jerome N. Frank.

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## Court Panel Hears Rosenberg Motion

### Convicted Atom Spies Say Trial Was Unfair

A special three member panel of the United States Court of Appeals reserved decision yesterday on a motion by Julius and Ethel Rosenberg, convicted atom spies, to reverse a lower court's refusal to set aside their death sentences. The Rosenbergs, convicted March 29, 1951, of conspiring to transmit atomic secrets to the Soviet Union between 1944 and 1950, are sentenced to die in the electric chair at Sing Sing Prison during the week of Jan. 12.

The three member panel consisted of Chief Judge Thomas W.

Swan, and Judges Harrie B. Chase and Jerome N. Frank who had affirmed the original conviction and then refused to review their decision.

The Rosenbergs, through their attorney, Emanuel Bloch, contended they had been "deprived of the essence of a fair trial because of adverse pre-trial publicity, that the government used perjured testimony and their conviction was brought about by fraud." Similar arguments were made by Harold N. Meyer, attorney for Morton Sobell, convicted with the Rosenbergs and now serving a thirty-year sentence in Alcatraz Prison.

65-15378

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## We're With You

**M**OST of us these days are receiving messages of good will. But when Federal Judge Irving R. Kaufman and U. S. Attorney Myles J. Lane open their mail they never know whether the contents will wish them well, or be scurrilous, obscene and defamatory.

Judge Kaufman presided at the trial of the atom spies, Julius and Ethel Rosenberg, and passed the death sentence on them. Lane obtained the indictments against that traitorous couple and took part with the then U. S. Attorney, Irving Saypol, in the prosecution.

The denunciatory letters are, of course, Communist inspired. The Red attempts to make a religious issue out of the Rosenberg case have been condemned by the Anti-Defamation League of B'nai B'rith, American Jewish League Against Communism and the Jewish War Veterans.

We would like to assure Judge Kaufman and Lane that all decent Americans are with them in this time of slanderous attack.

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## Versions of Justice

Staten Island has had the case of Julius and Ethel Rosenberg, who were convicted of conspiracy in atom information spying for Russia, emphasized in recent weeks via a pamphlet distributed in certain communities.

Most of the pamphlets were discarded when Islanders realized the contents and the source. Some, apparently, have been retained and the readers presumed to have assimilated the contents.

Whether the pamphlet is believed or not, the case provides the same fine distinctions, the peculiar viewpoints and the strange dialectics always prevalent when dealing with trials and policies concerning communism and its program.

That the well-spring for the protest against the conviction and death penalty for the Rosenbergs is the Communist organization can be seen readily.

Communists hate American justice in this case as much as they hated America's fight against Hitler until der Fuehrer lashed out against Stalin. If the Communists ever suspected that the Rosenbergs might "sing," there'd be another quick turn-on-a-dime policy shift as there was in the last war.

The situation also reflects the Reds' amazing ability to see rank injustice in one trial in a free nation while seeing nothing wrong in a similar trial in a captive country.

Indeed, Communists have hailed the results of the trial in Czechoslovakia, an affair the National Committee for a Free Europe describes as "the litany of humiliation."

This was a question put to the accused Czechs: "Do you plead guilty in the sense of the indictment? Explain your guilt."

If American justice were on the Communist level, the Rosenbergs would not have been put on trial until they were certain to "confess" and implicate many others.

The conclusion seems to be: Give communists a trial and it will make the most of it.

## Letters from Readers

### Atom Spies Defended By Graniteville Man

DEAR EDITOR:

To those of us who are old fashioned enough to insist on clean, fair American justice, instead of the present trend of hysteria-trials, the trial and sentence of the Rosenbergs seems incredible. The first weakness of the case against them was the evasive charge—conspiracy to deliver to the USSR secrets of the national defense, i.e. the atom bomb plans. The word conspiracy makes it only necessary to prove that you planned to commit a crime not that it was actually committed. It was treason that the prosecution blared all over the press, but it was only conspiracy that they dared to prove.

The greatest weakness of the case against the Rosenbergs is the type of witnesses upon which the entire case stands. When the prosecution entered the courtroom he brought with him three self-confessed conspirators, two of them husband and wife. Of these three one was convicted of his crime but not yet sentenced, which left him open to great pressure by the prosecution. The other two were not even indicted, and thus under similar pressure.

The incredible death sentence for this shaky case was the work of the judge. In his introductory

remarks to sentencing, he constructed a theory that it was this conspiracy that was responsible for the Soviets getting the A-bomb and starting the Korean war. Since his remarks carried some sort of judicial immunity from challenge, being made after the trial, he was free to vent his spleen on this hapless couple by sentencing them to death.

Have you ever heard of a crime where fellow conspirators allegedly equally guilty before the law, have so great a range of punishment as from complete freedom to death?

GILBERT WASSERMAN,  
183 Jules drive,  
Graniteville.

65-15348-A-11

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# JWV Decries Hall's Use By "Clemency Committee"

More controversy than was engendered at the meeting itself has arisen about the holding of a meeting in Levittown Hall last Saturday by the "Levittown Clemency Committee."

Protests about allowing the meeting to be held have been sent to Levittown Hall authorities by Leonard Fuchs, commander, and Howard Peizer, anti-communism officer of

the Nassau-Suffolk District Council of the Jewish War Veterans. Fuchs is also commander of the Levittown JWV Post.

The protests cited the fact that advertisements announcing the meeting were signed by the "Levittown Clemency Committee", while the request for the Hall was made by the Committee for Peaceful Alternatives. The meeting was held to protest the death sentence for Julius

and Ethel Rosenberg, convicted of giving information about the Atomic Bomb to Russia.

Fuchs pointed out that the JWV of the United States recently praised Federal Judge Irving R. Kaufman for his "fair and judicial handling of the Rosenberg case throughout its course." Simultaneously, the JWV denounced the organization calling itself "The National Committee to Secure Justice for the Rosenbergs" which it said, "has been waging a campaign of distortion designed to win clemency for the Rosenbergs on the wholly spurious theme that their religious ancestry was a factor in their conviction."

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# Rosenbergs to Ask Court For Judicial Clemency

Julius and Ethel Rosenberg, convicted atom spies who are scheduled to be electrocuted the week of Jan. 11, will apply Tuesday to Judge Irving R. Kaufman of United States District Court for judicial clemency and commutation of sentence, their attorney, Emanuel Bloch, said yesterday.

If Judge Kaufman denies the

application, an appeal will be made to President Truman for executive clemency, Mr. Bloch said. The plea on Tuesday will consist of "all my arguments used in the past," including the charges of adverse pre-trial publicity and government use of perjured testimony and an allegation that the information given to the Soviet Union by the Rosenbergs was not secret but public knowledge, Mr. Bloch said.

The Rosenbergs were convicted on March 29, 1951.

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## Rabbi Asks Mercy For Rosenbergs

Rabbi I. Usher Kirschblum, spiritual leader of the Kew Gardens Hills Jewish Center, has appealed to President Truman to commute the death sentences of Julius and Ethel Rosenberg, convicted atom secret spies.

In a letter to the President, Rabbi Kirschblum condemned the Rosenbergs' "traitorous act," but added that "although the Rosenbergs are Jewish by the mere accident of birth, I feel that in generations to come my people will be plagued by these two Jewish names that will go down in history as the first ones to be executed for spying in times of peace."

*ccB*

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## TO PLEAD FOR ROSENBERGS

Counsel for Spies Will Apply for  
Judicial Clemency Tuesday

Julius and Ethel Rosenberg, scheduled to die in the electric chair the week of Jan. 12 for transmitting atomic bomb secrets to the Soviet Union, will apply Tuesday to Federal Judge Irving R. Kaufman for judicial clemency. Emanuel H. Bloch, defense counsel, said that if the application is denied he would appeal to President Truman for executive clemency. Mr. Bloch said that his application on Tuesday would include "a synopsis of all my arguments made in the past."

James B. Kilsheimer 3d, assistant United States Attorney, said he would oppose the plea.

Mr. Bloch said that Rosenberg's family—his mother, Mrs. Sophie Rosenberg, two married sisters and a brother—spent fifteen "emotional" minutes in Judge Kaufman's chambers Tuesday pleading the couple's innocence. The attorney said the meeting ended with Judge Kaufman indicating that if the Rosenbergs wanted to help themselves they could do so by "working."

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## A-Spy Pickets' Teeth Chatter

Washington, Dec. 27 (AP).—Seventeen pickets, shivering in near freezing weather, began what they called "a clemency vigil" outside the White House tonight, demanding that the President save Ethel and Julius Rosenberg, convicted atom spies, from the electric chair.

A spokesman, David Allman, said the sign-carrying pickets would continue to march beside the executive mansion until the husband-wife spy team is granted clemency.

The Rosenbergs are scheduled to die the week of Jan. 11 in Sing Sing death house, where they have been imprisoned since they were convicted on March 29, 1951, of conspiring to transmit atom secrets to the Soviet Union.

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IN CHARGE  
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On January 13, 1928, Ruth Snyder and Judd Gray took the short walk from their cells to the execution chamber at Sing Sing.

Twenty-five years later, less a day, the Rosenbergs will trace the same steps to the same end.

There is but one parallel between the dead and the dying: Stupidity. Mrs. Snyder and her paramour pitted their stupidity against society and lost. In the opinion of every reporter covering the crime and the trial, theirs was a comedy of errors that might have made a burlesque except for the curtain scene that took the life of Ruth's husband; his head smashed by a window sash wielded drunkenly by each in turn.

The Rosenbergs matched their blundering espionage tactics against major league competition, the FBI. If you've read colleague Oliver Pilat's book, "The Atom Spies," you know it was cat-and-mouse and just a question of time.

It is small news that they have been tried and convicted.

It is also obvious that they're adamant and unrepentant.

In their attitude they complete the whole cycle of stupidity. They stole American atom secrets and sold them to the Soviet. With some of the money they received they bought U. S. Saving Bonds, reminding one of the man who bets on both teams so that he won't lose!

During the trial they could not deny the U. S. Attorney's facts but preferred to introduce their religion instead. This was calculated to arouse cries of anti-Semitism. Never once did they realize that the whole Government team of prosecution was of the real Jewish faith, while the Rosenbergs had relinquished their religious claims and absconded to the Communist Party, to which religion is only "the opiate of the people."

Having failed miserably in this attempt, and now meeting with their attorneys in the Death House, they were abetted in tries for national sympathy by a group called "The Committee to Secure Justice for the Rosen-

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*J. A. Harrington*

bergs," who published a Rosenberg pamphlet.

Their pamphlet is written so badly that it's obvious that they did not trouble to read the monument of evidence against the pair, but are turning out melodramatic mush, while evading the answers to the facts of meetings, transactions, thievery of documents, and delivery of same to the Soviet agents.

On one hand the "Committee" proclaims the Rosenbergs innocent and on the other says "what they stole wasn't important to the national defense effort anyway!"

The crowning achievement of stupidity was the mass march at Ossining last Sunday by a group already widely advertised for their "patriotic" aims.

If sincere they could have done the Rosenbergs a vital favor in their hour of imminent need. They could have asked them to become repentant prisoners, and co-operate with the FBI. They could tell the names of the 40 or 50 espionage agents it is estimated they know, who are still working within our country for Russia.

They could prevail on Ethel Rosenberg to allow her mother to visit her, for as rumor in jurisprudence circles has it, if her mother is allowed to speak to Ethel, the whole story of Soviet intrigue will come pouring out and the FBI will have a large catch.

The last-moment chance of reprieve or commutation is now in the President's hands. If my information is correct Mr. Truman will not lift his pen, for the Rosenbergs have not, after exhaustive proof against them, shown the slightest willingness to serve America in partial repayment of the great debt they owe.

Theirs is the hope of martyrdom. It is an empty hope. They will be dropped by the Communists the day after execution, pausing as briefly on the front pages as did Ruth Snyder in that infamous electrocution photo.

There is now, and will be later, little to remember them by.

Theirs is not a crime of glamour but one of greed and ingratitude and inhumanity.

Ruth Snyder went to the chair screaming "Jesus have mercy!"

The Rosenbergs will not have even this last cry of some persons in distress, for they did not appear to worship God.

He may forgive them, for He is forgiveness.

I as a mere, blundering mortal cannot.

For I keep seeing their children.



# The Red Underground

## Rosenberg Propaganda Drive To Go on Despite Couple's Fate

By Herbert A. Philbrick

**C**OMMUNISTS in the Anti-Prop (agitation and propaganda) section of the party received instructions last week to devote the next three weeks to regearing their Rosenberg propaganda campaign. The subversive Reds were told that the purpose of the advance planning was to continue beyond the week of Jan. 12, 1953 (the week the Rosenbergs are scheduled to be executed), the Communist hate-America drive regardless of the outcome of public appeals for Presidential clemency.

Red propagandists were told that the "Committee to Secure Justice in the Rosenberg Case" will continue to function, although possibly under a different name. This group, now operating from 1050 Avenue of the Americas, New York City, is headed by Joseph Brainin and David Alman, with sponsors including Professor E. Berry Burgum, Rabbi Abraham Cronbach, Shirley Graham, Professor Robert Morss Lovett and Dr. Gene Weltfish.

The propaganda instructions were that for the next three weeks the public line will be: Clemency during the Christmas and New Year seasons is appropriate and entirely in keeping with the great tradition in America of Presidential clemency . . . It would demonstrate to the world the strength of American democracy . . . It would add to the moral prestige of our country throughout the world . . . justice . . . liberty . . . freedom . . . Christian charity . . . and so forth.

### Secret Instructions

Secretly, however, the comrades were instructed that if clemency should be granted by President Truman, they are to continue their hate-America campaign based on a new theme.

Charges will be made that the grant of clemency "demonstrates the weakness of American capitalism," that the "imperialist war government of the United States feared the wrath of the American people and the democratic peoples of the earth," and that it is a "clear victory for the progressives, the Communist party and their allies in the working-class movement." The propagandists are to continue the line that the convicted spies are persecuted, innocent, framed victims of anti-Semitism and race prejudice growing from war hysteria and anti-communism.

At one of the secret meetings of propagandists, the Red bosses bragged that "well over a million" Rosenberg propaganda pieces have been distributed through meetings and the mails in New York City alone. They did not reveal the source of money necessary to pay for the huge quantities of material.

### Party Switches on Feller

At a routine secret meeting of Communists held in Philadelphia last week, the comrades were startled to find that a quick "switch" in the party line had taken place concerning the late Abraham Feller. Feller, an assistant to United Nations Secretary General Trygve Lie, plunged to his death from a twelfth floor apartment window in New York on Nov. 13.

Mr. Feller, who had previously been described by party bosses as

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a "victim" of McCarran Committee hearings on the U. N., was now defined as a "traitor to the people" whose activities were "so foul that he could no longer bear to live with himself."

At a Communist meeting held near Boston, Mass., last week, bored comrades sat for well over an hour to listen to a "special recording" of "militant fighters for freedom of speech." The recording, it developed, consisted of well worn Communist cliches in the form of a series of speeches attacking the Senate and House committees investigating communism and Communist infiltration of schools, colleges, movies, radio and TV.

Among the recorded speakers were Ben Margolis, defense attorney for the West Coast Communist party leaders; Lynn Whitney, an actress; Fred Steinmetz, an attorney, and Dr. Alexander Pennes, who has served as organizational director of "Champions of the Bill of Rights" and the "Committee for Medical Freedom."

Comrades in the "Pro-C" (professional-culture) section of the Communist underground were ordered last week to add to the party blacklist the name of British actor-playwright, Noel Coward. The comrades were told that it had been "revealed" that Mr. Coward was a "secret agent of the British Secret Service," who had "conspired with the traitorous Slansky spies."

The subversive Reds, whose number includes reviewers of books and plays, were told that all works by Noel Coward are to be "re-evaluated" in the light of the "exposure." "The pro-fascist and anti-democratic weaknesses inherent in his decadent style must be laid bare for all to see," the "cultural" Communists were told.

### On the Party Line

Catalogues of the Jefferson School of Social Science, at the Avenue of the Americas and 18th St., New York, are being distributed to Communist party cell meetings, to "readers clubs" and to former "Compass Clubs" in the New York area. The new catalogue lists seventy-eight courses to begin in the last half of January.

... West Coast Communist leaders have been instructed to arrange for public appearances of attractive Isobel Cerner, who violated passport restrictions to attend the Communist Peking Peace Conference in October. ... Warnings were repeated in several Communist meetings that the names of comrades who are fugitives from justice are not to be discussed, publicly or privately. The top seven missing Communists are Robert Thompson, thirty-seven; Henry Winston, forty-one, and Gilbert Green, forty-five, who were convicted and sentenced to three to five years in prison, and who have been missing since July 2, 1951; also, Fred Fine, thirty-eight; Dr. James Edward Jackson Jr., thirty-seven; William N. Marston, fifty, and Sidney Stein, thirty-seven. This latter group was indicted by the government on July 21, 1951, to stand trial on charges similar to those filed against the original "eleven."

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CLASS NUMBER LAST SERIAL DATE

SERIALS 689D DATE

SERIALS transferred to 65-15348-A-120 DATE

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## The Rosenberg Case

~~Bay Shore~~—The Newday article of December 17th which ties the Prague trials in with the Rosenberg case is very misleading. True, there are Communists interested in freeing the Rosenbergs. But we need not lose sight of the forest because of the trees. Such anti-Communist elements as the Jewish Morning Journal, as well as most Jewish organizations and rabbis, have come out for commutation of the death sentence for this unfortunate couple. As a matter of fact, only a few weeks ago, the subject of Bay Shore's Rabbi Jonah Schwartz' sermon was that the death sentence for the Rosenbergs was severe and unusual. The true facts are that 1. the Commission on Atomic Energy has stated that the part of the Rosenbergs in the conspiracy was a minor one, 2. the key figures in the case received relatively light sentences or none at all, 3. the death sentence for espionage in time of peace has never before been handed down in Anglo-American countries, and 4. even the Nazis who spied during the war received lighter sentences. Then why the death sentence for the Rosenbergs? Was it the hysteria of the times, or something else, that was the reason for this miscarriage of justice? It is this question in the minds of people who are fighting for commutation of sentence that urges them to say to every fair-minded citizen, "write to the President asking him to intervene and save the Rosenbergs from the electric chair." The execution of these two people would be a damning blot on American justice. Hysteria is no basis on which to issue death sentences, and I think it is disgusting for Newday to encourage this type of thinking among its readers.

—S. Shapiro.

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# A Spies' Judge Hints a Stay In Executions

**Kaufman Describes  
Hounding by Reds**

## BULLETIN.

Federal Judge Irving R. Kaufman today reserved decision after hearing an impassioned plea for judicial clemency for Julius and Ethel Rosenberg, convicted atom spies.

A stay of execution so that convicted atom spies Julius and Ethel Rosenberg may appeal to the President for executive clemency was virtually promised today by Federal Judge Irving R. Kaufman.

The judge, who told the attorney for the couple that he had been "hounded and pounded and vilified and pressured" ever since he pronounced the death sentence, nevertheless assured the defense he would give it "plenty of time" for a plea to the President. He was hearing a plea for judicial clemency.

### Won't Close the Door.

"If I were to rule against you now, I won't close the door for you to make a plea to the President," he told Emanuel H. Bloch, the Rosenbergs' attorney. "You have a right to make a plea to the President and I will give you plenty of time."

Earlier in the hearing, the judge had denounced the pressure tactics being used to win clemency for the convicted spies.

"I think you would be as resentful as I am if it came from the other side," he added at a hearing for executive clemency in behalf of the couple who are in Sing Sing awaiting electrocution the week of Jan. 11.

### Barrage of Telegrams.

"I can assure you that neither side can affect my judgment in this case. When the day comes when we succumb to pressure, we might as well close the doors of justice."

Judge Kaufman said that "yesterday alone I received a veritable barrage of telegrams."

Not only letters but also phone calls have been pouring into Judge Kaufman's home. It was learned, causing Mrs. Kaufman considerable anguish. Many of them referred to the Kaufman children. The Rosenbergs have two sons.

### Engineered by Reds.

The pressure campaign is engineered by a so-called National Committee to Secure Justice in the Rosenberg Case, which was set up by the Communist party. Its latest stunt is a "Clemency Delegation," which will leave New York for Washington Monday morning to petition Congress and the White House.

The committee is urging work stoppages, parades and demonstrations before state assemblies, and city halls as well as a flood of messages to President Truman and Judge Kaufman.

Judge Kaufman made his "hounded and pounded" statement in court this morning after Mr. Bloch told him that "tens upon tens of thousands of people in Europe, Asia and throughout the world have become inflamed at this case."

### What Is It?

"What is it about this case that has aroused the world?" the lawyer went on. "What is it that prompts 15 members of the Israeli government to cable me a protest of your sentence? What is it that has caused France to burn with indignation?"

After Judge Kaufman referred to the pressure put upon him, Mr. Bloch asked what made his clients, who are in solitary confinement with just a few days to live, say: "We are innocent," when they could save themselves if they talked.

"What is it that stops them?" he repeated.

"I have pondered that," the judge replied, "and the only answer I can find is that it is what drove them into it (the Communist espionage conspiracy) and I do not know the answer to that."

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NY WORLD TELEGRAPH & SUN

DEC 30 1952

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# NEW CLEMENCY PLEA IS MADE FOR ROSENBERGS

Julius and Ethel Rosenberg make a new plea today to save themselves from death in the electric chair for betraying U.S. atomic secrets to Russia.

A petition for judicial clemency was scheduled to be argued in Manhattan before Federal Judge Irving R. Kaufman, who originally condemned them to death.

Emanuel H. Bloch, defense counsel, said that if the petition were rejected and other last-ditch legal efforts failed, he would appeal directly to President Truman for clemency.

## Time Running Out

Time is running out for the couple, scheduled to be executed the week of Jan. 12 at Sing Sing. An appeal to the U. S. Circuit Court of Appeals for a reversal of their conviction is still pending.

In support of the judicial clemency plea Bloch yesterday gave the judge 200 letters from scientists, clergymen and educators urging that the death sentence be commuted to a prison term.

## Raps Greenglasses

One letter was signed by Dr. Harold C. Urey Nobel Prize-winning physicist at the University of Chicago. He said he had studied a transcript of the trial and found the Government's case rested on the testimony of David and Ruth Greenglass.

"I found the testimony of the Rosenbergs more believable than that of the Greenglasses" Urey said.

Greenglass, brother of Mrs. Rosenberg, was himself sentenced to 15 years imprisonment for his part in the espionage ring that fed atomic information to Soviet agents.

The Rosenbergs charged in their affidavit for clemency that Greenglass "bargained our lives away for his life and his wife's."

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# Court Hears New Clemency Plea Of Doomed Atomic Spy Couple

Federal Judge Kaufman today hears attorney Emanuel H. Bloch petition clemency for atom spies Julius and Ethel Rosenberg. He also considers letters from 200 scientists, clergymen, educators and union officials filed in Federal Court yesterday with a personal affidavit from the Rosenbergs urging commutation of the death sentence.

passing atom secrets to Soviet agents, are scheduled to die the week of Jan. 12.

Among the letters urging clemency was one from Dr. Harold C. Urey, Nobel Prize winner and noted nuclear scientist of the University of Chicago. Urey wrote that whereas the government "rests its case" on the testimony of David and Ruth Greenglass, he found the testimony of the Rosenbergs "more believable."

"Accepting the verdict as correct," Urey said, "I am amazed and completely outraged by the unequal punishment which has been given."

Among the writers were Dr. Harlow Shapley, director of the Harvard College Observatory; Rabbi Abba Hillel Silver of Cleveland, and Waldo Frank, author.

The Rosenbergs, convicted of

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# Rosenbergs Assured of Time To Carry Appeal to Truman

By SID KLINE

Execution of convicted atom spies Julius and Ethel Rosenberg will be delayed long enough to enable an appeal to be made to President Truman for commutation of sentence, Federal Judge Irving R. Kaufman announced yesterday at a drama-packed clemency hearing.

"There is left to you an appeal to the President," Kaufman told Emanuel H. Bloch, the defense attorney, who had made an alternately legalistic and emotional appeal for reduction of the penalty. The Rosenbergs are scheduled to die in Sing Sing during the week of Jan. 12.

"If your time is short—if I rule against you now—I will not close the door to your appeal to the President."

"Justice to People."

Later, after U. S. Attorney Myles J. Lane and Assistant U. S. Attorney James Kilsheimer urged that the death sentence be upheld "in justice to the American people" and as a deterrent to other spies, the judge reserved decision on Bloch's petition.

Yesterday's proceedings took place in the same first floor courtroom in the Federal Courthouse at

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Foley Square in which 11 members of the Communist Party national board were convicted of conspiracy, and in which the "second-string" Red leaders now are standing trial on the same charge.

Every seat was taken. In the first row of spectators were Rosenberg's mother, Mrs. Sophie Rosenberg, two sisters and a brother. All through Bloch's three-hour appeal during the morning, and the Government's lengthy counter-appeal in the afternoon, they and other listeners sat in tense silence.

#### Called Public Knowledge.

Legally, Bloch contended that the information passed by the doomed couple to the Russians was public knowledge, and that the death penalty—especially in view of the prison terms imposed on other spies and traitors here and in Britain—was excessive and inhumane.

On the emotional level, he pulled out all the stops. Millions of people throughout the world were

following their attention on the Rosenberg case, he said, and would interpret its outcome as a measure of American justice. To send them to their deaths would increase tensions with the nation's allies, he contended.

The Rosenbergs, said Bloch in an unsteady voice, were "sweet, tender people." They had two children.

"Have a heart, Your Honor," he pleaded. "Consult your conscience. If you take these lives it will be with you for the rest of your life."

#### Called Professionals.

From government counsel came a stinging retort to Bloch's oratory.

Lane branded the Rosenbergs professional espionage agents whose entire lives were devoted to the Soviet Union. He cited the specific secret information they passed on to Russia.

"I assert they were the center of a network of spies," said the U. S. Attorney. "The sentence you imposed should act as a deterrent to show that we mean business, and that others who commit espionage

will be dealt with summarily. This is no time for a court to be soft with hard-boiled spies."

Kilsheimer addressed his attention primarily to the barrage of letters introduced by the defense, asking clemency. The sender, asserted Kilsheimer, had acted largely on misinformation. "They were not tried for being Jews," said the government lawyer. "They were not tried for being Communists. They were tried for being spies before World War II, during the war, and after. The Rosenbergs say they seek justice. The people of the United States also seek justice."

#### Flood of Telegrams.

Earlier in the proceedings, Judge Kaufman noted irately that he had been "hounded and pounded and vilified and pressured."

"Yesterday alone," he commented to Bloch, "I received a veritable barrage of telegrams. I can assure you that neither side can affect my judgment in this case. When the day comes when we succumb to pressure we might as well close the doors of justice."

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# DECISION RESERVED IN ROSENBERG CASE

Judge Tells of Pressure on Him  
as Appeal of Convicted  
Atom Spies Is Heard

A clemency plea for Julius and Ethel Rosenberg, Soviet atom spies now in Sing Sing Prison under death sentences, was heard yesterday by Federal Judge Irving R. Kaufman, who reserved decision. Judge Kaufman indicated, however, that if defense counsel needed additional time to appeal for Presidential clemency he would grant a stay. Mr. and Mrs. Rosenberg are scheduled to die in the week of Jan. 12.

In urging Judge Kaufman to reconsider his death sentence on the Rosenbergs, Emanuel H. Bloch, defense counsel, warned the judge that if he permitted them to die he might well come to be regarded as "another Judge Thayer."

Mr. Bloch referred to Judge Webster Thayer of Massachusetts, who presided at the trial of Nicola Sacco and Bartolomeo Vanzetti, philosophical anarchists electrocuted Aug. 22, 1927, for two murders committed in connection with a payroll hold-up in 1920.

Many persons believed that Sacco and Vanzetti had not received a fair trial and their deaths in the electric chair were followed by widespread riots in many world capitals.

## Judge Subjected to Pressure

In the course of yesterday's hearing, Judge Kaufman disclosed that he had been subjected to strong pressure in connection with the Rosenberg case.

"I have been hounded and pounded and vilified and pressured in connection with this case," Judge Kaufman said to Mr. Bloch. "I think you would be as resentful as I am, if it came from the other side. Yesterday alone I received a veritable barrage of telegrams. I can assure you that neither side can affect my judgment in this case. When the day comes when we succumb to pressure we might as well close the doors of justice."

James B. Kilsheimer 3d, an assistant United States Attorney who joined with United States Attorney Myles J. Lane in opposing Mr. Bloch's appeal for judicial clemency, told the court that much of the pressure to prevent the execution of sentence upon the Rosenbergs was undoubtedly Communist inspired.

Citing a letter from the National Committee to Secure Justice in the Rosenberg Case, Mr. Kilsheimer denied that the committee represented a cross section of the country as its sponsors contended.

"It no more represents a cross section of the country than does the National Committee of the Communist party," Mr. Kilsheimer said.

## "Virulent Atmosphere" Charged

In opening his argument for clemency, Mr. Bloch said that a "virulent atmosphere" had pervaded the courtroom during the Rosenberg trial. He charged that much of this atmosphere resulted from inflammatory material furnished to the press by J. Edgar Hoover, director of the Federal Bureau of Investigation, and Irving H. Saypol, then the United States Attorney.

"Can you say that the jurors were not influenced by this climate?" Mr. Bloch asked the court.

Mr. Bloch asserted that "tens upon tens of millions of persons in Europe, Asia and in other parts of the world have become inflamed by this case."

"What is there about this case that has aroused the world?" Mr. Bloch asked. "What is it that prompts fifteen members of the Israeli Government to cable to me a protest of your sentence? What is it that has caused France to burn with indignation at the case?"

It was at this point that Judge Kaufman denounced those who had "hounded and pounded" him in connection with the Rosenberg trial. After the judge's interruption, Mr. Bloch answered his own questions by charging that the severity of the sentences as compared to other sentences for offenses of a similar nature had caused world-wide resentment. He said that a strong protest had been received from the French League of the Rights of Man, an organization which he said had been founded to protest the life exile and imprisonment sentence inflicted on Capt. Alfred Dreyfus, who was erroneously convicted of treason in 1894.

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# Stay for A-Spies Hinted by Kaufman

Federal Judge Irving R. Kaufman, presiding at a clemency hearing for doomed atom-bomb spies Julius and Ethel Rosenberg, yesterday revealed he has been "hounded and pounded and vilified and pressured" in connection with the case. He indicated, however, that he might grant a stay of execution so the two—due to die in Sing Sing's electric chair the week of Jan. 11—might have time to seek executive clemency from President Truman.

"I have been hounded and pounded and vilified and pressured, and I think you would be as resentful as I am if it came from the other side," Judge Kaufman told Emanuel Bloch, counsel for the Rosenbergs.

"Yesterday alone, I received a veritable barrage of telegrams. I can assure you that neither side can affect my judgment in this case. When the day comes when we succumb to pressure, we might as well close the doors of justice."

## Begs 'on Knees'

Bloch, in three hours of melodramatic pleas, asserted that millions throughout the world have sided with the condemned pair. At one point, he said:

"Your honor, I would even get down on my knees to beg you for clemency."

Judge Kaufman commented:

"Don't do that—let's keep this on a high level."

Assistant U. S. Attorney Kilsheimer charged that the move to gain clemency for the Rosenbergs was Communist-inspired. The National Committee to Secure Justice for the Rosenbergs, he said, gave out statements that were "downright falsifications, downright Communist propaganda." He said that hundreds of letter-writers, many of them prominent persons, based their appeals on this misinformation.

Judge Kaufman corrected one bit of misinformation. He said he had repeatedly seen letters in which it was asserted the Rosenbergs are guilty only of peacetime espionage. This, he said, is not true. They were tried and convicted on an indictment charging war-time espionage.

U. S. Attorney Lane dispelled another misconception. He said the Rosenbergs were not mere amateurs, tricked into giving information to the Soviet—they were "professionals and experts."

He reiterated that because they

funneled A-bomb secrets to the Soviet through Dr. Klaus Fuchs, the British atomic scientist now serving a 14-year sentence, the Russians took a determined stand in Korea and hastened the beginning of the war there, with a resultant additional loss in American lives.

Kilsheimer, demanding that justice be served, said that to reduce the sentence of the pair would be to "succumb to suggestions that would encourage anti-Americanism."

Judge Kaufman said he would reserve decision both on Bloch's plea for clemency and on a possible stay of sentence to give time for a plea to Truman.

Rosenberg's mother, Sophie, a brother David, and two sisters, Mrs. Ethel Goldberg and Mrs. Lena Cohen, were in court as Bloch made his plea.

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# Kaufman Hears 2 1/2-Hour Plea For Rosenbergs

Judge Suggests Appeal to  
Truman; Comments on  
Communist Propaganda

By Harold Brown

After a day-long argument which was charged with emotion, Judge Irving R. Kaufman of United States District Court yesterday reserved decision on a plea for judicial clemency by Julius and Ethel Rosenberg, convicted atom spies, who are scheduled to be executed at Sing Sing Prison during the week of Jan. 11.

The argument on behalf of the thirty-three-year-old electrical engineer and his thirty-six-year-old wife was delivered by their attorney, Emanuel H. Bloch. Mr. Bloch made an impassioned appeal for the lives of his clients that lasted two hours and forty-five minutes.

Judge Kaufman, who sentenced the Rosenbergs to death April 5, 1951, calling their crime of conspiring to transmit atomic secrets to Soviet agents one that "dwarfed" murder, made one statement during the hearing that indicated he would give the Rosenbergs time to seek executive clemency from President Truman.

"There is a review by the President," the jurist said. "You have a right to make a plea to the President and I will give you plenty of time. If I were to rule against you now, I won't close the door for you to make a plea to the President."

If Judge Kaufman should deny the appeal for judicial clemency, a plea for mercy to the President is the last hope of the convicted couple, who have two young sons.

President Truman's term expires nine days after the scheduled execution date for the Rosenbergs. On Jan. 20, President-elect Eisenhower will be inaugurated.

Judge Kaufman yesterday referred to the propaganda campaign that has been conducted on behalf of the convicted couple, much of it by Left-wing groups.

"I have been hounded and pounded and vilified and pressured and I think you would be as resentful as I am if it came from the other side," he told Mr. Bloch.

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Pointing out that "Communists all over the world have made this case a cause celebre," Mr. Lane advised Judge Kaufman: "This is no time for a court to be soft with hard-boiled spies."

Mr. Bloch's argument followed three major themes. First he pointed out that there was something about the case that had "aroused the world."

#### Sacco-Vanzetti Case

In this connection, he sought to link the Rosenberg case with the Sacco-Vanzetti case by urging Judge Kaufman "not to follow in the tradition of Judge Thayer." Judge Webster Thayer sentenced Nicola Sacco and Bartolomeo Vanzetti to death in 1927 for a holdup murder. Judge Thayer denied all applications for a new trial or for judicial clemency despite worldwide protests that the two men were being railroaded to their deaths because of their radical affiliations.

Mr. Bloch's second line of argument was that the Rosenbergs, who have maintained their innocence, were not guilty of the crime as charged. "This is a case of accomplices who tried to mitigate their own roles in crime and shift them to other shoulders," he said. He contended David Greenglass and his wife "made up a story and sold a bill of goods to the government."

Mr. Bloch mentioned a letter written to Judge Kaufman by Dr. Harold C. Urey, nuclear scientist at the University of Chicago, and a leading figure in research leading to the development of the atomic bomb. Dr. Urey's letter, which was made public, said the scientist had read the transcript of the Rosenberg trial and had "found the testimony of the Rosenbergs more believable than that of the Greenglasses."

David Greenglass, who pleaded guilty to a part in the spy-ring conspiracy, of which atomic spy Klaus Fuchs was also a partner, was a witness against the Rosenbergs. He is Mrs. Ethel Rosenberg's brother. Greenglass's wife, Ruth, another trial witness, was named as a co-conspirator, but was not a defendant in the indictment.

Judge Kaufman's reply to Mr. Bloch's introduction of the Urey letter was: "I think that was the most presumptuous thing that he could do. Here is a man who reads the record, but sees none of the witnesses and then becomes a jury."

Myles J. Lane, United States Attorney, answering Mr. Bloch's argument, charged that the Rosenbergs were "professionals in espionage." In reply to a statement by defense counsel that the couple is innocent, Mr. Lane declared:

"There is evidence that Rosenberg was awarded the Red Star by the Soviet Union. The Rosenbergs were experts and professionals and their lives were dedicated to the Soviet and all that the Soviet stands for."

His third point was that "relatively lighter sentences were imposed on others in similar cases," citing the trials of Axis Sally and Tokyo Rose, who made enemy broadcasts during World War II.

The two women, Mildred E. Gillars—"Sally"—and Mrs. Iva Ikuko Toguri D'Aquino—"Rose"—were convicted and sentenced for treason. The Rosenbergs are the first American citizens in the history of American civil jurisprudence to be sentenced to death for espionage on behalf of a foreign power.

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# Rosenbergs Lose Plea for New Trial

The jaws of death clamped closer on atom spies Julius and Ethel Rosenberg yesterday when the U. S. Court of Appeals turned down their bid for a new trial and pointed out that their request might have been granted if not for their own lawyers' laxity.

The Rosenbergs, sentenced to die in the Sing Sing electric chair the week of Jan. 11, had argued that pre-trial news stories had turned public opinion against them after they had been arrested for delivering atomic secrets to the Russians. They were convicted in April, 1951.

The three-man appellate board, upholding a ruling of Federal Judge Ryan, agreed that probably was true but asserted the time for the defense to bring up that argument was at the trial and not at this late date.

## Unanimous Opinion

Chief Judge Swan, who wrote the unanimous opinion, said:

"When publicity believed to be prejudicial occurs during a trial, the defendant may move for a mistrial or may request the trial judge to caution a jury to disregard it. In this case the defense did neither. We may assume that in this case a cautionary instruction would not suffice and that, if the defendants had moved for a new trial, it would have been

granted. But they did not so move.

"Their present position is obviously an afterthought inspired by the hope of securing a new trial after having exhausted all hope of reversing the verdict by appeal and petitions for review. The best that can be said in the instant case is that, at time of trial, astute counsel decided the publicity did their clients no harm, and now want the court to decide otherwise."

The ruling also held for Morton Sobell, who was convicted with the Rosenbergs, but sentenced to 30 years.

It left only three avenues of hope open for the doomed pair: the granting of clemency by Federal Judge Irving R. Kaufman, who now has that plea under advisement; a stay of execution to permit a request for executive clemency to President Truman and an appeal to the U.S. Supreme Court.

N.Y. MIRROR

January 1, 1953

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J. A. Harcourt

# Appeals Court Bars New Trial For Rosenbergs

**In Separate Action, Kaufman  
Is Likely to Rule Tuesday  
on a Plea for Clemency**

The United States Court of Appeals yesterday ruled out a new trial for Julius and Ethel Rosenberg, convicted atom spies, scheduled to go to the electric chair in Sing Sing Prison in the week of Jan. 11.

The court's action left just three more legal roads open to the condemned couple. There is pending an appeal for judicial clemency in United States District Court. There is the opportunity of asking Executive clemency from the President. And the Rosenbergs can appeal to the United States Supreme Court for a review of the Court of Appeals' decision of yesterday.

Up holding a decision handed down Dec. 10 by Federal Judge Sylvester J. Ryan, the three-man court, sitting in the United States Court House, also denied a new trial to Morton Sobell, a co-conspirator with the Rosenbergs.

The three were convicted March 29, 1951, of taking part in a conspiracy to transmit atomic secrets to the Soviet Union. The Rosenbergs were sentenced to death. Sobell was sentenced to thirty years in Federal prison and is now in Alcatraz.

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# Rosenbergs Spurned By U. S. Appeals Court

Julius and Ethel Rosenberg lost another legal round yesterday in their fight to escape execution in the Sing Sing electric chair.

The U. S. Circuit Court of Appeals handed down a ruling upholding a lower court's rejection of the plea for re-trial of the two atom spies and their accomplice, Morton Sobell. Sobell drew a 30-year term. "The best that can be said," the appeals court decision stated, "is that, at time of trial, astute counsel decided that the publicity did their clients no harm, and now want the court to decide otherwise."

It held that Federal Judge Syl-

vester J. Ryan had shown conclusively that the petitioners raised no material issue of fact that required a hearing.

Judge Irving R. Kaufman, who pronounced the original death sentence, assured the Rosenbergs counsel Tuesday that their execution will be delayed long enough, if necessary, to permit an appeal for commutation of sentence to be placed before President Truman. They are scheduled for electrocution the week of Jan. 12.

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